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MINUTES OF THE SUPREME COURT OF THE UNITED STATES

Roll 5

Volumes Q-S

January 22, 1855 - February 7, 1860

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NOTES ON ROLL 5

The three volumes reproduced on this roll have the following backstrip titles: (1) "Minutes / Supreme Court / U. S. / Q / Jan. 22, 1855 / to / Dec. 2, 1856"; (2) "Minutes / Supreme Court / U. S. / R / Dec. 3, 1856 / to / May 4, 1858"; and (3) "Minutes / Supreme Court / U. S. / S / May 5, 1858 / to / Feb. 7, 1860." They contain the minutes of the Supreme Court of the United States from January 22, 1855, to February 7, 1860.

The first volume contains the minutes of the Court from January 22, 1855, to December 2, 1856; the second, from December 3, 1856, to May 4, 1858; and the third, from May 5, 1858, to February 7, 1860.

VOLUME

Q

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable	Roger B. Taney	Chief Justice
	John McLean	
	James Mo. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Robert C. Grier	
	Benjn. R. Curtis	
	John A. Campbell	

Donah D. Hoover. Esquire. Marshal.
William Thomas Carroll. Clerk.

Proclamation being made the court is opened.

On motion first made to the court in this behalf by Mr A. P. Butler. it is ordered that William Blanding. Esquire. of South Carolina. be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly. —

On motion first made to the Court in this behalf by Mr P. Smith. it is ordered that George L. Nightingale. Esquire. of Iowa. be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

Order of Court.

Ordered. That the following supplemental rules be added to the rules heretofore adopted by this court for regulating proceedings in admiralty.

Rule No 52.

When the defendant in his answer alleges new facts. these shall be considered as denied by the libellant. and no replication general. or special shall be allowed. But within such time after the answer is filed. as shall be fixed by the District Court either by general rule. or by special order. the libellant may amend his libel so as to confess and avoid. or explain or add to the new matters set forth in the answer. And within such time as may be fixed in like manner. the defendant shall answer such amendments.

Rule No 53.

The Clerks of the District Courts shall make up the records to be transmitted to the Circuit courts, on appeals so that the same shall contain the following:

1. The style of the Court.

2. The names of the parties, setting forth the original parties, and those who have become parties before the appeal if any change has taken place.

3. If bail was taken, or property was attached or arrested, the proceß of arrest or attachment and the service thereof, all bail and stipulations, and if any sale has been made, the orders warrants and reports relating thereto.

4. The libel with exhibits annexed thereto.

5. The pleadings of the defendant with the exhibits annexed thereto.

6. The testimony on the part of the libellant and any exhibits not annexed to the libel.

7. The testimony on the part of the defendant and any exhibits not annexed to his pleadings.

8. Any order of the court to which exception was made.

9. Any report of an afsefsor or afsefsors. if excepted to. with the orders of the court respecting the same and the exceptions to the report. If the report was not excepted to only the fact that a reference was made and so much of the report as shows what results were arrived at by the afsefsor. are to be stated.

10. The final decree.

11. The prayer for an appeal and the action of the District Court thereon. and no reasons of appeal shall be filed or inserted in the transcript.

The following shall be omitted.

1. The continuances.

2. All motions. rules and orders not excepted to which are merely preparatory to trial.

3. The commissions to take depositions. notices therefor. their captions. and certificates of their being sworn to. unless some exception to a deposition in the District Court was founded on some one or more of these: in which case so much of either of them as may be involved in the exception shall be set out. In all other cases it shall be sufficient to give the name

of the witness and to copy the interrogatories and answers and to state the name of the commissioner and the place where and the date when the deposition was sworn to And in copying all depositions taken on interrogatories the answer shall be inserted immediately following the question.

The Clerk of the District Court shall page the copy of the record thus made up and shall make an index thereto. and he shall certify the entire document. at the end thereof. under the seal of the court. to be a transcript of the record of the District Court in the cause named at the beginning of the copy made up pursuant to this rule. and no other certificate of the record shall be needful or inserted. —

It is further ordered. that these rules be published in the next volume of the reports of the decisions of this court, and that the clerk cause them to be forthwith printed and transmitted to the several District courts.

	The United States at relation of Aaron Goodrich Pltff in Er vs James Guthrie Secretary of the Treasury.	The argument of this cause was concluded by Mr Lawrence of counsel for the plaintiff in error. —
45.		
	Edward Herndon Appt vs James L Ridgeway et al	This cause was argued by Mr Phillips of counsel for the appellees and submitted on a printed argument by Hon S. Adams in behalf of the appellant. —
46.		
	The City of Boston Pltff in Er vs David R Leeraw	The argument of this cause was commenced by Mr Chandler of counsel for the plaintiff in error. (Mr Justice Curtis having been of counsel did not sit in this cause.
47.		

Proclamation being made the court is adjourned until tomorrow morning at eleven o'clock.

Pursuant to adjournment the court met this morning at the Capitol.

Present

The Honorable Roger B. Taney, Chief Justice.
John McLean
James M. Wayne
John Catron Associate
Peter V Daniel Justices
Samuel Nelson
Robert C. Grier
John A. Campbell.

Jonah D. Hoover. Esqure. Marshal
William Thomas Carroll. Clerk.

Proclamation being made the court is opened.

Seba M. Bogart. William A Wilcox and Leonard F. Welch Libellants &c. Appts
vs
The Steamboat John Jay her tackle &c. George Logan. claimant

Appeal from the Circuit court of the United States for the Southern District of New York

36.

This cause came on to be heard on the transcript of the record

from the Circuit Court of the United States for the southern district of New York and was argued by counsel on consideration whereof, it is now here ordered, adjudged and decreed by this court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

Per Mr Justice Wayne.

On motion first made to the court in this behalf by Mr Seward, it is ordered that Stukely Ellsworth, Esquire, of New York, be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

Amendment of the 67th Chancery Rule.

Ordered, That the sixty seventh rule governing equity practice be so amended as to allow the presiding judge of any court exercising jurisdiction either in term time or vacation to vest in the clerk of said court general power to name commissioners to take testimony in like manner that the court or judge thereof can now do by the said sixty seventh rule.

John G Shields Appt's
125 vs
Isaac Thomas et al

On consideration of the motion made in this cause by Mr Smith on a prior day of the present term of this court to wit on Friday the 19th instant and of the arguments of counsel thereupon had as well against as in support thereof, it is now here ordered by the court that the said motion be and the same is hereby overruled.

The widow and heirs of Benjamin Poydras de la Lande
114 vs Appellee &c
The Treasurer of the State of Louisiana.

On consideration of the motion made by Mr Dunbar to dismiss this cause, or a prior day of the present term to wit: on Friday the 19th instant and of the arguments of counsel thereupon had as well against as in support thereof, it is now here ordered by the court that the said motion be and the same is hereby overruled.

47. The City of Boston. Plff in Er vs David R Leeraw

The argument of this cause was continued by Mefsrs Filton and Durant of counsel for the defendant in error.

Proclamation being made the court is adjourned until tomorrow morning at eleven o'clock. —

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Roger B Taney, Chief Justice
John. McLean
James M. Wayne
John Catron Associate
Peter V Daniel Justices
Samuel Nelson
Robert C. Grier
Benjn R Curtis
John A. Campbell

Donah D. Hoover, Esquire. Marshal.
William Thomas Carroll. Clerk

Proclamation being made the Court is opened

47 The City of Boston vs. Jeffin Er. David R Lecraw

The argument of this cause was concluded by W. Ames of counsel for the plaintiff in error.

Thomas Law. Executor &c. Appts
48. vs.
Joseph. E. Law

The argument of this cause was commenced by Mr. May of counsel for the appellants. (Mr Chief Justice Taney having been of counsel did not sit in this cause.)

Proclamation being made the Court is adjourned until tomorrow morning at eleven O'Clock.

Pursuant to adjournment the court met this morning at the Capitol.

Present.

The Honorable John McLean
James M. Wayne
John Catron — Associate
Peter V Daniel — Justices
Samuel Nelson
Robert C. Grier
Benj. R. Curtis
John A Campbell

Jonah D Hoover, Esquire Marshal.
William Thomas Carroll, Clerk

Proclamation being made, the court is opened.

On motion first made to the court in this behalf by Mr Gillet it is ordered, that Andrew L. Harlan, Esquire, of Indiana, be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly

On motion first made to the court in this behalf by Mr J. C. Jones. it is ordered, that J. R. Dickerson. Esquire. of Pennsylvania. be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly

48 Thomas Laws Executor &al vs.) Appts
Joseph E. Law

The argument of this cause was continued by Mr May of counsel for the appellants and by Messrs Carlisle and Core. for Lloyd Rogers and his two children. —

Proclamation being made the court is adjourned until tomorrow morning at eleven o'clock.

Friday January 26th 1855.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable John McLean
James M Kinyne
John Catron
Peter V Daniel
Samuel Nelson
Robert C. Grier
Benj R Curtis
John A Campbell

Donald D Hoover Esquire, Marshal
William Thomas Carroll, Clerk

Proclamation being made the court is opened

Thomas Law's Executors &al. vs. Joseph E. Law — Appellants

48. The argument of this cause was continued by Mr Coxe for Rogers and children, and concluded by Mr Sherrod for the appellants

107	William Jones et al vs Jeffs in Er William S. Johnston	The motion to dismiss this writ of error was argued by Mr Chase in support thereof.
49	William A Booth vs Applt Ferdinand Clark	The argument of this cause was commenced by Bradley of counsel for the appellant.

Proclamation being made the court is adjourned until Monday morning at eleven o'clock.

Pursuant to adjournment the court met this morning at the Capitol.

Present

The Honorable. Roger B. Taney, Chief Justice.
John McLean.
James M'Kinley.
John Catron. Associate
Peter V. Daniel. Justices
Samuel Nelson.
Robert C. Grier.
Benjn R. Curtis.
John A. Campbell.

Donah D. Hoover, Esquire. Marshal.
William Thomas Carroll. Clerk.

Proclamation being made, the court is opened.

On motion first made to the Court in this behalf by Mr Bradley, it is ordered that Roscoe B. Heath, Esquire, of Virginia be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly. ——

William Jones et al vs Petitioner William L. Johnston 107

On consideration of the motion to dismiss this writ of error filed by Mr Chase on a prior day of the present term, to wit on Tuesday the 12th ultimo and of his argument thereon, it is now here ordered by the Court that the said motion be, and the same is hereby overruled.—

Victoire Shields et al vs Appts Robert R. Barrow 28

This cause was submitted to the consideration of the court on the record and printed arguments by Mr Benjamin of counsel for the appellants and by Mr Janin of counsel for the appellee.—

William A Booth vs Appt Ferdinand Clarke 49

The argument of this cause was continued by Mr Bradley of counsel for the appellant and by Messrs Lawrence and May for the appellee and concluded by Mr Bradley for the appellant.

William Bones and Sylvester Marsh
107 vs) Affidavit &c
William L Johnston

Mr Chase of counsel for the defendant in error having filed and read in open court a suggestion of a diminution of the record in this cause in the following words and figures to wit

"That the record filed in this cause is defective

1st In this that it does not appear from said record that the Bill of Exceptions therein set forth was signed and sealed during the October Term 1832. at which time and not at the trial term the said Bill of Exceptions was in fact signed and sealed,

2d In this that the evidence given in support of the motion made on the 13th of November 1832 to amend the order purporting to have been made by consent on the 10th of November 1832. is not set forth in said record, nor is the evidence given in opposition to said motion, which evidence on the part of the plaintiff Johnston consists of the affidavits of Buchanan & Morris Esquire, and Isaac N Arnold, Esquire, and on the part of the defendants

Jones and Marsh of the affidavits of George W. Meeker James Clapp and Henry Frink from which affidavits it appears that consent was not in fact given by the counsel for the plaintiff Johnston to said order.

2 In this that it does not distinctly appear from said record whether or not any exception to any ruling order or instruction of the court was actually taken or noted during the trial of the cause in the court below whereas the fact is that no such exception was taken or noted".

By reason of which omissions and errors aforesaid the said counsel now here moved the court to award a writ of Certiorari to be directed to the Judges of the said Circuit Court commanding them that searching the record and proceedings of said court in this cause they shall certify to this court under the seal of the said Circuit court whatever errors and omissions shall be found. On consideration whereof it is now here ordered and adjudged by this court that a writ of Certiorari be and the same is hereby awarded to be issued forthwith and to be directed to the Judges of the

said Circuit Court commanding them to certify under the seal of said court whatever errors and omissions shall be found in this cause and return the same with the said writ of certiorari forthwith to this court

per Mr Chief Justice Taney.

Proclamation being made the court is adjourned until tomorrow morning at eleven o'clock.

Tuesday. January 30th 1855.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Roger B. Taney Chief Justice
John McLean
James M. Wayne
John Catron Associate
Peter V. Daniel Justices
Samuel Nelson
Robert C. Grier
Benja R. Curtis
John A. Campbell

Jonah D. Hoover Esquire Marshal.
William Thomas Carroll. Clerk.

Proclamation being made the Court is opened.

Peter J Burchell Appt vs Stewart C. Marsh. Alex ander Frear and William M. Arbuckle. Appeal from the Circuit Court of the United States for the District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the

District of Illinois and was argued by counsel on consideration whereof it is now here ordered adjudged and decreed by this court that the decree of the said Circuit Court in this cause be and the same is hereby reversed with costs and that this cause be and the same is hereby remanded to the circuit court with directions to dismiss the Bill of Complaint with costs but without prejudice to any legal defence which the parties may have

per Mr Justice Grier

Dissenting

Mr Justices McLean & Nelson

(Mr Chief Justice Taney and Mr Justice Wayne did not sit in this cause.)

Amos J Bruce et al vs) (Appeal from The United States

This cause was argued by Mr Vinton of counsel for the plaintiffs in error and submitted on a printed argument by Mr Attorney General Cushing in behalf of the defendants in error. —

Richard H Hendrickson
51 vs. Appt
Samuel L Hinckley

This cause was submitted to the consideration of the court on the record and printed arguments by Mr Hart of counsel for the appellant and by Mr Mills in behalf of the appellee.

James Stevens Appt.
52. vs
Royal Gladding et al.

This cause was argued by Mr Ames of counsel for the appellees and submitted on a printed argument by the appellant. —

Proclamation being made the court is adjourned until tomorrow morning at eleven oClock.

Pursuant to adjournment the court met this morning at the capitol.

Present

The Honorable Roger B. Taney, Chief Justice
John McLean
James M. Wayne
John Catron Associate
Peter V. Daniel Justices
Samuel Nelson
Robert C. Grier
Benjn R. Curtis
John A. Campbell
Jonah D. Hoover Esquire. Marshal
William Thomas Carroll. Clerk

Proclamation being made the court is opened.

On motion first made to the court in this behalf by Mr Ewing. it is ordered that Aaron F Perry. Esquire. of Ohio be admitted to practice as an attorney and counsellor of this court. and he was sworn accordingly.

Wednesday January 31 1855 continued.

On motion first made to the court in this behalf by Mr Wood it is ordered that Henry J. Horn, Esquire, of Pennsylvania, be admitted to practice as an attorney and counseller of this court and he was sworn accordingly. —

William Short's Executors vs. Jeffs in Er. The argument of this cause was commenced by Mr Hart of counsel for the plaintiffs in error continued by Messrs Scott and Wood of counsel for the defendant in error and by Mr Ewing for the plaintiff in error. —

23 The State of Pennsylvania

Proclamation being made the court is adjourned until tomorrow morning at eleven o'clock. —

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable	Roger B. Taney,	Chief Justice.
	John McLean	
	James M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Robert C. Grier	
	Benjn R. Curtis	
	John A. Campbell	

Jonah D. Hoover, Esquire, Marshal.
William Thomas Carroll, Clerk,

Proclamation being made, the Court is opened.

On motion first made to the Court in this behalf by Mr Chase, it is ordered that Henry W. De Puy, Esquire, of New York be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Edward Herndon Appt
46 vs
James B. Ridgeway. Eu J. Ridgeway. Wm H Gasque and Henry Davis

Appeal from the District Court of the United States for the Northern District of Mississippi.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of Mississippi and was argued by counsel. On consideration whereof it is now here ordered, adjudged and decreed by this court that the decree of the said District Court in this cause be and the same is hereby affirmed with costs. —

Pr Mr Justice Campbell.

William Short's Executors
53 vs
The State of Pennsylvania

The argument of Jefferson this cause was concluded by Mr Ewing of counsel for the plaintiffs in error. —

Joel Wright Pffin vs Schuyler H Matteson

514 This cause having been called for argument and no counsel appearing ready to proceed with the same, it is thereupon now here ordered by the court that this cause be and the same is hereby postponed to the foot of the docket under the 36th rule of court. —

John G. Graham Pffn Er vs Alexander Wayne

55. This cause having been called for argument and no counsel appearing ready to proceed with the same, it is thereupon now here ordered by the court that this cause be and the same is hereby postponed to the foot of the docket under the 36 Rule of Court. —

Jane A Loy et al. Appts vs Charles Mason

55. A stipulation of counsel in the words and figures following to wit:

"It is agreed that the half breed record in the partition case referred to in this suit and the exhibits and title docs:

or any other paper in that case and the present may be referred to by either party in this cause without having the same printed.

Platt Smith. Sol. for Compt.

Charles Mason".

having been filed in this cause and submitted to the consideration of the Court, Mr Chief Justice Taney thereupon informed the counsel that the record or papers referred to in said stipulation could not be referred to in the trial of this case unless the same were printed pursuant to the rules of this court.

38. Jane A Coy &c al. Appts vs Charles Mason

On the motion of Mr Chase it is now here ordered by the court that leave be and the same is hereby granted him to withdraw the motion filed by him in this case on the 19th ult...

Jane. A Lowe et al. Affts
vs
Charles Mason

The argument of th
cause was commenced
by Mr Smith of counse
for the appellants
continued by Mr Chase for the appellees

Proclamation being made
the Court is adjourned until tomorrow morn
ing at eleven o'clock.

Friday February 2. 1855.

Pursuant to adjournment the court met this morning at the Capitol.

Present

The Honorable	Roger B Taney.	Chief Justice
	John McLean	
	James M Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Robert C. Grier	
	Benja R. Curtis	
	John A. Campbell	

Jonah D. Hoover. Esquire. Marshal.
William Thomas Carroll. Clerk.

Proclamation being made the Court is opened.

On motion first made to the court in this behalf by Mr Attorney General Cushing it is ordered that Charles A Davison Esquire. of New York. be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly

On motion first made to the court in this behalf by Mr Chase it is ordered that Luther Day Esquire of Ohio be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly. —

Josiah S Stafford and Leannella Kirkland Stafford his wife Appts

vs.

The Union Bank of Louisiana

99.

Appeal from the District Court of the United States for the District of Texas.

This cause came on to be heard on the transcript from the District Court of the United States for the District of Texas and it appearing to the court here that a stipulation by the counsel of the respective parties to dismiss this appeal at the costs of the appellants has been filed in this cause it is thereupon on the motion of Mr Love of counsel for the appellee now here ordered and decreed by this court that this appeal be and the same is hereby dismissed with costs. —

Per Mr Chief Justice Taney.

Josiah S. Stafford and Leanetta Kirkland Stafford his wife. Appellants
vs
The New Orleans Canal & Banking Company.

Appeal from the District Court of the United States for the District of Texas

105.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Texas and it appearing to the court here that a stipulation by the counsel of the respective parties to dismiss this appeal at the costs of the appellants has been filed in this cause it is thereupon on the motion of Mr Cove of counsel for the appellees now here ordered and decreed by this court that this appeal be and the same is hereby dismissed with costs.

Per. Mr Chief Justice Taney.

Nehemiah Carrington Appt
vs
The Brig Ann & Pratt.
Leonard B. Platt claimant

60.

Mr Selpendin of counsel for the appellee having filed a suggestion that Nehemiah Carrington the appellant had departed this life since the last continuance of this cause now here moved the Court for an order under the 28 rule of Court to make the proper representatives parties and for the usual order of publication on consideration whereof it is now here ordered by the Court that unless the proper representatives of the said appellant shall voluntarily become parties within the first ten days of the ensuing term the appellee shall be entitled to have the appeal in this cause dismissed.

Provided that a copy of this order shall be published in some newspaper at the seat of Government in which the laws of the United States shall be printed by authority, for three successive weeks at least sixty days before the beginning of the term of the Supreme Court next ensuing.

Jane A Boy et al
58 vs Appts
Charles Mason

The argument of this cause was continued by Mr Chase of counsel for the appellee and concluded by Mr Smith of counsel for the appellants —

James Rhodes Appt.
59 vs
William B Farmer et al

The argument of this cause was commenced by Mr Phillips of counsel for the appellant and continued by Mr Bibb of counsel for the appellees —

Proclamation being made the court is adjourned until Monday morning at eleven o'clock. —

Pursuant to adjournment the court met this morning at the Capitol

Present

The Honorable	Roger B Taney	Chief Justice
	John McLean	
	James M Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Robert C. Grier	
	Benj~ R Curtis Esq	
	John A. Campbell	

Jonah W. Hoover. Esquire. Marshal
William Thomas Carroll. Clerk.

Proclamation being made the court is opened.

On motion first made to the court in this behalf by Mr Phillips. It is ordered that Churchill C Cambreling. Esquire of New York. be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly. —

On motion first made to the court in the behalf by Mr P Smith it is ordered that Stephen Hempstead Esquire. of Iowa. be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

On motion first made to the court in this behalf by Mr Chase it is ordered that J Montgomery Guiteau. Esquire. of New York. be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly. —

59 James Rhodes. Appt vs William B. Farmer Jal

The argument of this cause was concluded by Mr Phillips of counsel for the appellant. —

61 James A Potter. claimant of the Ship Panther &c. Appt vs The United States.

Appeal from the Circuit Court of the United States for the District of South Carolina

This cause came on to be heard

on the transcript of the record from the Circuit Court of the United States for the District of South Carolina and the appellant having been three times solemnly called by the Marshal to come into court and prose cute this appeal and failing to appear, it is thereupon on the motion of Mr. Attorney General Dunlop of counsel for the appellee, now here ordered and decreed by this court that this cause be and the same is hereby dismissed. —

Pr. Mr Chief Justice Taney.

Daniel South et al vs Jeffinter The State of Maryland use of Jonathan McPolle. 68

The argument of this cause was commenced by Mr Nelson of counsel for the plaintiffs in error continued by Messrs Dobbin and Reverdy Johnson of counsel for the defendant in error and concluded by Mr Nelson for the plaintiffs in error. —

Robert Wickliffe. Admr of Luke Tiernan. deceased
63. vs. Appt
Benjamen Eve & al.

The argument of this cause was commenced by Mr Preston of counsel for the appellant and continued by Mr Blair of counsel for the appellees.—

The United States. Appts
44. vs
Archibald A Ritchie

Mr Attorney General Cushing moved the court to extend the time under the 33d rule for the argument of this cause. Whereupon this court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.—

Proclamation being made the court is adjourned until tomorrow morning at eleven o'clock.—

Pursuant to adjournment the court met this morning at the Capitol.

Present.

The Honorable	Roger B. Taney	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	Associate
	Peter V Daniel	Justices
	Samuel Nelson	
	Robert C Grier	
	Benja R Curtis	
	John A. Campbell	

Jonah. W. Cooper Esqre. Marshal
William Thomas Carroll Clerk

Proclamation being made the court is opened

On motion first made to the court in this behalf by Mr. William Preston, it is ordered that Christopher Engle, Esquire, of the District of Columbia, be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

The United States at the relation of Aaron Goodrich vs Jeffm Dr James Guthrie Secretary of the Treasury of the United States.

In error to the Circuit Court of the United States for the District of Columbia holden in and for the county of Washington

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Columbia holden in and for the county of Washington and was argued by counsel, on consideration whereof it is now here ordered and adjudged by this court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

Pr Mr Justice Daniel.

Dissenting.

Mr Justice McLean.

Edward McWest vs Jeffm Dr Joseph Cochran

In error to the Circuit Court of the United States for the District of Missouri.

This cause came on to be heard

on the transcript of the record from the Circuit Court of the United States for the District of Mississippi and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

(Per Mr Justice Catron.

(Mr Justice Wayne having been indisposed did not sit in this cause.)

The United States Appts. vs. Archibald A. Ritchie

444

On consideration of the application made in this cause yesterday by Mr Attorney General Cushing. It is now here ordered by the Court that the time allowed for the argument of this cause be and the same is hereby extended to five hours on each side.

Robert Wickliffe. Admr of Luke Tiernan. deceased vs Benjamen Eve et al. Appt

63. The argument of this cause was continued by Mr Blair for the appellees and concluded by Mr Preston for the appellant.

John C. Fremont. Appt vs The United States

72. Mr Jones of counsel for the appellant moved the Court to put this cause down for argument on some particular day on consideration whereof it is now here ordered by the court that said motion be and the same is hereby overruled.

Amos Albritton's Executor vs Samuel Woodward's Admr Jeff in Er

64 This cause was argued by Mr Badger of counsel for the plaintiff in error and by Mr Ingle for the defendant in error.

Proclamation being made the court is adjourned until tomorrow morning at eleven o'clock.

Pursuant to adjournment the court met this morning at the Capitol.

Present

The Honorable Roger B. Taney, Chief Justice
John McLean
James M. Kayne
Peter V. Daniel, Associate
Samuel Nelson, Justices
Robert C. Grier
Benjn R. Curtis
John A. Campbell

Jonah D Hoover. Esquire. Marshal.
William Thomas Carroll. Clerk.

Proclamation being made the court is opened.

On motion first made to the court in this behalf by Mr Spalding. It is ordered that H. I Backus. Esquire. of Michigan. be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly. ——

On motion first made to the court in this behalf by Mr Cutting. It is ordered that William A Wallens. Esquire. of New York. be admitted to practice as an attorney and counseller of this court and he was sworn accordingly. —

W W Lewis et al. claimants of Schooner Catharine &c. vs Appls. Noah Dickenson et al. This cause was argued by Mr Cutting of counsel for the appellants and submitted on a printed argument by Mr Field for the appellees.

6t.

James B Peck et al. vs Appls John Sanderson The argument of this cause was commenced by Mr Cutting of counsel for the appellants.

6t

Proclamation being made the court is adjourned until tomorrow morning at eleven o'clock. —

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Roger B. Taney Chief Justice
John McLean
James M. Wayne
John Catron Associate
Peter V. Daniel Justices
Samuel Nelson
Robert C. Grier
Benja R. Curtis
John A. Campbell.

Jonah D Hoover Esquire. Marshal.
William Thomas Carroll Clerk

Proclamation being made, the court is opened.

On motion first made to the court in this behalf by Mr Lord. it is ordered that Elias Merwin. Esquire of Massachusetts be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

On motion first made to the court in this behalf by Mr Lawrence, it is ordered that Mr Thompson, Esquire of the District of Columbia, be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly. —

Marcelin Haydel vs Jeffin Ex & Francois Dufresne — In error to the Supreme court of the State of Louisiana

6

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Louisiana and was argued by counsel. On consideration whereof it is now here ordered, adjudged and decreed by this court that the decree of the said Supreme Court in this cause be and the same is hereby reversed with costs, and that this cause be and the same is hereby remanded to the said Supreme Court with directions for further proceedings to be had therein in conformity to the opinion of this court, as to law and justice shall appertain.

Js Mr Justice Catron.

(Mr Justice Wayne having been indisposed did not sit in this cause)

Joseph B Peck et al. "
vs. : Appts cause was concluded by
John Sanderson Mr Cutting of counsel
for the appellants and
submitted on a printed argument by Genl Howard on behalf of the appellees. —

Joseph Paige et al "
vs. : Pffs in Err cause was commenced by
James Brown et al Mr Bartlett of counsel
for the plaintiffs in error
and continued by Mr. Merwin of counsel for the defendants in error. —

Proclamation being made &c. court is adjourned until tomorrow morning at eleven o'clock. —

Friday February 9th 1853.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Roger B Taney Chief Justice
John McLean
James M Wayne Associate
Peter V. Daniel Justices
Samuel Nelson
Robert C. Grier
Benja R. Curtis
John A. Campbell.

Sonah D Hoover. Esquire. Marshal.
William Thomas Carroll. Clerk

Proclamation being made the Court is opened

Henry R W Hill et al. vs James L Mock et al. Appts

The death of Henry R W Hill having been suggested on a prior day of the present term. to wit. on Wednesday the 20th of December last and Mr Benjamin of the Counsel for the appellants having filed a duly authenticated copy of the Letters Testamentary appointing John McBaes executor of the last will and testament of the said Henry

26

R W Hall. now here moved the Court for leave to make the said John. Mc Daft a party and co appellant in this cause On consideration whereof. it is now here ordered by the Court that the appearance of the said John Mc Daft executor of Henry R. W. Hall. deceased, be and the same is hereby entered as a party & co appellant in this cause with liberty to prosecute this appeal..

Henry R W Hall's Exr &c Pl
vs. Appts
James L. Mack et al

26. On consideration of the motion of Mr Benjamin of Counsel for the appellants and with the assent of Mr Harris of Counsel for the appellees it is now here ordered by the Court that the order of this Court of the present term be set on Wednesday the 21st December. so far as it continues this cause to the next term be and the same is hereby rescinded and annulled and that leave be and the same is hereby granted to the respective counsel to submit this cause on printed arguments. —,

Joseph Savage et al vs Jeffries & James Brown et al

67

The argument of this cause was continued by Mefrs Mervin and Lord of counsel for the defendants in error, and concluded by W. Bartlett of counsel for the plaintiffs in error.

Proclamation being made the court is adjourned until Monday morning at eleven o'clock. —

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Roger B Taney, Chief Justice
John McLean
James M. Wayne
John Catron
Peter V. Daniel
Samuel Nelson
Robert C Grier
Benjn R Curtis
John A Campbell
Jonah D. Hoover, Esquire, Marshal
William Thomas Carroll, Clerk

Proclamation being made, the Court is opened.

Richard H. Hendrickson vs Samuel L Hinckley et al. Appeal from the Circuit Court of the United States for the District of Ohio.

This cause came on to be heard on the transcript of the record from the Circuit court of the United States for the District of Ohio and was argued by Counsel, on consideration

whereof it is now here ordered adjudged and decreed by this court that the decree of the said Circuit court in this cause be and the same is hereby affirmed with costs

Pr. Mr Justice Curtis.

47 The City of Boston. Plffs in Er. vs David R Leeman. In error to the Circuit court of the United States for the District of Rhode Island.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Rhode Island and was argued by counsel, on consideration whereof it is now here ordered and adjudged by this court that the judgment of the said Circuit court in this cause be and the same is hereby reversed with costs and that this cause be and the same is hereby remanded to the said Circuit court with directions to award a venire facias de novo.

Pr Mr Justice Grier.

Dissenting

Mr Justice Daniel.

Monday. February 12th. 1855 continued

The United States. Appts
vs
Archibald. A. Ritchie

The argument of this cause was continued by Mr. Attorney General Cushing of counsel for the appellants

Proclamation being made the court is adjourned until tomorrow morning at eleven o'clock. —

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Roger B. Taney Chief Justice
John McLean
James M. Wayne
John Catron Associate
Samuel Nelson Justices
Robert C. Grier
Benjn R Curtis
John A. Campbell
Jonah D. Hoover. Esquire. Marshal
William Thomas Carroll. Clerk

Proclamation being made the court is opened.

Samuel H Carpenter. acting executor and Charles Wilkins Short and S. Cleves Short. executors named and residuary legatees of William Short. deceased Plffs. in Error

53 vs

The Commonwealth of Pennsylvania.

In error to the Supreme Court of Pennsylvania –

This cause came on to be heard

on the transcript of the record from the Supreme Court of Pennsylvania and was argued by counsel. On consideration whereof it is now here ordered, adjudged and decreed by this court that the decree of the said Supreme Court in this cause be and the same is hereby affirmed with costs.

Per Mr Justice Campbell.

44 The United States. Appls. vs Archibald A. Ritchie

The argument of this cause was continued by Mr Bibb of counsel for the appellee and concluded by Mr Attorney General Cushing of counsel for the appellants.

Proclamation being made the court is adjourned until tomorrow morning at eleven o'clock. ~

Pursuant to adjournment the court met this morning at the Capitol.

Present

The Honorable	Roger B Taney	Chief Justice
	John McLean	
	James McKayne	
	John Catron	Associate
	Samuel Nelson	Justices
	Robert C. Grier	
	Benjn R Curtis esq	
	John A Campbell	

Jonah D Hoover. Esquire. Marshal
William Thomas Carroll Clerk

Proclamation being made the Court is opened.

On motion first made to the court in this behalf by Mr Blatchford. it is ordered that John Fitch. Mansfield T. Walworth and Welcome R. Beebe. Esquires. of New York. be admitted to practice as attorneys and counsellors of this court and they were severally sworn accordingly. —

Amos B. Vance and Franklin Steele vs The United States. In error to the Circuit Court of the United States for the District of Missouri

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Missouri and was argued by counsel on consideration whereof it is now here ordered and adjudged by this court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with interest at the same rate per annum that similar judgments bear in the courts of the State of Missouri.

(per Mr Chief Justice Taney.)

Moses Wanzer et al vs John McTaulty et al The argument of this cause was commenced by Mr Conn of counsel for the appellants and continued by Messrs Bent and Mary of counsel for the appellees.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock. —

Pursuant to adjournment the court met this morning at the Capitol

Present

The Honorable Roger B. Taney Chief Justice
John McLean
James M. Wayne
John Catron Associate
Samuel Nelson Justices
Robert C Grier
Benj R Curtis
John A Campbell

Donah D Hoover Esqure. Marshal.
William Thomas Carroll. Clerk.

Proclamation being made the court is opened.

Zachary Pulliam Exr of Amos Albritton. deceased. vs Jeff in Er Alexander Osborne. Admr of Samuel Woodward. decd

Transferred from the Circuit Court of the United States for the Southern District of Alabama according to the statute in such case made and provided.

This cause came on to be heard on the transcript of the record from the Circuit

court of the United States for the Southern District of Alabama and was argued by counsel on consideration whereof it is now here ordered and adjudged by this Court that the judgment of the District Court of the United States for the Middle District of Alabama in this cause be and the same is hereby reversed with costs and that this cause be and the same is hereby remanded to the said District Court of the United States for the Middle District of Alabama with directions to award a venire facias de novo'

Per Mr Justice Campbell.

James Adams. Executor of Henry Hay. administrator of Edmund and Thomas Law et al.

vs

Joseph E. Law. by his next friend. Mary Robinson

Appeal from the United States for the District of Columbia holden in and for the County of Washington.

This cause came on to be heard on the transcript of the record from the Circuit

Court of the United States for the District of Columbia holden in and for the County of Washington and was argued by counsel on consideration whereof it is the opinion of this Court that the grandchildren took nothing under the limitations of the deed of marriage settlement whereupon it is now here ordered, adjudged and decreed by this Court, that so much of the decree of the said circuit court as allows $66.13 4/100 to Edmund and Eleanor Rogers be and the same is hereby reversed and annulled and that the residue of the said decree be and the same is hereby affirmed, and that this cause be and the same is hereby remanded to the said Circuit Court with directions to make distribution accordingly and to proceed therein in conformity to the opinion of this court. And it is further ordered and decreed by this court that the costs in this court be paid out of the fund of the trustees.

Per Mr Justice Curtis

Charles H. McBlair, admr of Lyde Goodwin, deceased vs Jeff in Er Robert H. Gibbs & Charles Oliver, executors of Robert Oliver, deceased.

Appeal from the Circuit Court of the United States for the District of Maryland

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Maryland and was argued by counsel. on consideration whereof, it is now here ordered, adjudged and decreed by this court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

Mr. Justice Nelson.

John L Williams, admr of James Williams, deceased vs Appt Robert H. Gibbs & Charles Oliver, executors of Robert Oliver, deceased.

Appeal from the Circuit Court of the United States for the District of Maryland.

This cause came on to be heard on the transcript of the record

from the Circuit Court of the United States for the District of Maryland, and was argued by counsel on consideration whereof it is now here ordered, adjudged and decreed by this court that the decree of the said Circuit Court in this cause be and the same is hereby reversed with costs, and that this cause be and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity to the opinion of this court

Per Mr Justice Nelson

Dissenting

Mr Chief Justice Taney
Mr Justice McLean.

John Gooding Junr. admr. Appeal from the
istrator de bonis non of John Circuit Court of
Gooding, deceased Appt the United States
39 vs for the District of
Robert McLibbs & Charles Maryland
Oliver, executors of Robert
Oliver, deceased.

This cause came on to be heard on the transcript of the record

from the Circuit Court of the United States for the District of Maryland and was argued by counsel On consideration whereof it is now here ordered, adjudged and decreed by this court that the decree of the said Circuit Court in this cause be and the same is hereby reversed with costs. and that this cause be and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity to the opinion of this court.

per Mr Justice Nelson

Dissenting.

Mr Chief Justice Taney
Mr Justice McLean.

Jane A Coy in her own right and as Guardian of Lucy. Ben. James. Mary. Amelia and Ira Hitable Coy. her minor children.

vs Compts & Appts

Charles Mason.

In error to the District Court of the United States for the District of Iowa.

This cause came on to be heard on the Transcript of the record from the District Court of the United States

for the District of Iowa and was argued by counsel on consideration whereof it is now here ordered, adjuged and decreed by this Court that the decree of the said District Court in this cause be and the same is hereby affirmed with costs.

Per Mr Justice McLean.

James Rhodes Comp'ts. Appt
vs
William B. Farma, William Fellows & Cornelius Fellows

Appeal from the District Court of the United States for the Northern District of Mississippi

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of Mississippi and was argued by counsel on consideration whereof it is now here ordered, adjudged and decreed by this Court that the decree of the said District Court in this cause be and the same is hereby affirmed with costs.

Per Mr Justice McLean.

The Steamboat Niagara her Tackle &c. The East River Steam boat Association. claimants &c. Appts

vs

John Van Pelt master of the Steamboat Cleopatra and the Norwich and Worcester Rail Road company. owners &c.

Appeal from the Circuit Court of the United States for the Southern District of New York

This cause came on to be heard on the transcript of the record from the Circuit court of the United States for the Southern District of New York. and it appearing to the court here by a stipulation on file. signed by the counsel of the respective parties. that the matters in controversy had been agreed and settled between them. and that the case should be dismissed without costs to either party as against the other. it is thereupon now here ordered and decreed by this court that this cause be and the same is hereby dismissed. and that each party pay their own costs in this court.

Pr Mr Chief Justice Taney.

Moses Wanzer et al Appts
vs.
69 John W. Healy et al

The argument of this cause was concluded by Mr Coxe of counsel for the appellants. —

Joseph G. Nelson et al use of the Ocean Mutual Insurance Company of Baltimore Appts
vs
70. The Steamer Palmetto &c

On motion of Messrs Mayer and Nelson of counsel for the appellants and with the assent of Mr Reverdy Johnson of counsel for the appellees It is now here ordered by the court that this cause be and the same is hereby continued to the next term. —

Henry A Warling et al use of the Ocean Mutual Insurance Company of Baltimore Appts
vs
71. The Steamer Palmetto &c

On motion of Messrs Mayer and Nelson of counsel for the appellants and with the assent of Mr Reverdy Johnson of counsel for the appellees It is now here ordered by the court that this cause be and the

same is hereby continued to the next Term.

Proclamation being made the court is adjourned until tomorrow morning, at eleven o'clock. —

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Roger B. Taney, Chief Justice.
John A. McLean
James M. Wayne
John Catron Associate
Samuel Nelson Justices
Robert C. Grier
Benj. R. Curtis
John A. Campbell

Sénah W. Hoover Esqre. Marshal
William Thomas Carroll. Clerk

Proclamation being made the court is opened.

On motion first made to the court in this behalf by Mr Attorney General Cushing. It is ordered that John L Watts Esquire of New Mexico be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly. —

Friday, February 16th 1833. continued

'73 Stephen B Lewis' admx Appt
vs
Edward R Bell. alias &c

The argument of this cause was commenced by Mr Chilton of counsel for the appellant and continued by Mr Bradley of counsel for the appellee. ~

Proclamation being made the court is adjourned until Monday morning at eleven o'clock. ~

Pursuant to adjournment the court met this morning at the Capitol.

Present.

The Honorable Roger B. Taney, Chief Justice
John McLean
James M'Kinley
John Catron — Associate
Samuel Nelson — Justices
Robert C. Grier
Benjn R Curtis
John A. Campbell.
Jonah D. Worrow. Esquire. Marshal.
William Thomas Carroll Clerk

Proclamation being made the court is opened

On motion first made to the court on this behalf by Mr Key. It is ordered that John E Ward. Esquire. of Georgia. be admitted to practice as an attorney and counsellor of this court and he was accordingly. —

On motion first made to the court on this behalf by Mr Attorney General

Cushing. it is ordered that Thornton K Lothrop. Esquire. of. Massachusetts. be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly

52. James Stevens. Appt vs Royal Gladding, and Isaac T. Proud. Appeal from the Circuit Court of the United States for the District of Rhode Island.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Rhode Island and was argued by counsel. on consideration whereof it is now here ordered. adjudged and decreed by this court that the decree of the said Circuit Court in this cause be and the same is hereby reversed with costs. and that this cause be and the same is hereby remanded to the said Circuit Court with directions to award a perpetual injunction as prayed for in the bill filed in this case. and to take an account of the profits received by the defendants from the sales of the map. and for such further proceedings

in conformity to the opinions of this court as to law and justice shall appertain.—

Per Mr Justice Curtis.—

James Adams executor of Thomas Law, deceased, & Mary Mary, administratrix of Edmund Thomas Law deceased, et al vs Joseph. E Law, by his next friend Mary Robinson

48.

Appeal from the Supreme Court of the United States for the District of Columbia holden in and for the County of Washington.

Messrs Brent and Mary having on a prior day of the present term, to wit: on Friday the 16 instant filed a motion in the words and figures following to wit:

"The above appellants come here and move the Honorable the Supreme Court so to amend their decree and the mandate to be awarded thereon, as to declare that the grandchildren of the testator Thomas Law, by reason of their election and renunciation as shown in the interlocutory decree of the Circuit Court (see page 23 of the record) are not entitled as legatees of

said testator to participate in the distribution of the fund in controversy. And in making this motion the appellants suggest that this question arises on the record in this court and that it is the practice of this court to settle all questions apparent on the record to prevent future appeals, and especially where as in this case the effect of the election and renunciation only becomes material in carrying out the decree of this court, disallowing the claim which the appellees elected to abide by. all of which is respectfully submitted.

Robt J. Brent
H. May
for appellants."-

And the court having duly considered the same, W Justice McLean announced the following decision thereupon, to wit:

"The court held that the pleadings in the case do not embrace the point stated in the above motion. The heirs referred to, the children of Mrs Rogers, having relinquished all claim under the will and claimed under the deed of settlement. the Court held they were not entitled to any part of the estate

under the deed of settlement on a construction of that instrument. Under these circumstances, whether they can claim as distributees of the general estate is a question not considered by the Court. The motion is therefore overruled.

per Mr Justice McLean.

Stephen J. Lewis' admx
vs
Appt.

The argument of this cause was concluded by Edward M. Bell appellee's Counsel for the appellant.

Henry R W Hill et al surviving partners &c
vs
Appts.

This cause was submitted to the consideration of the Court on the Transcript of the record and printed arguments by Mr Benjamin of Counsel for the appellants and by Mr Ware of Counsel for the appellees. —

Levi G. Boone. admr of Jesse D Thomas. deceased, vs Appt. The Mahoning Iron Company, et al. 41

This cause was submitted to the consideration of the Court on the record and printed argument by Mr Hill of Counsel for the appellees.—

John C Fremont. Appt vs The United States 72

The argument of this cause was commenced by Mr Jones of counsel for the appellant.

John C. Fremont. Appt vs The United States. 72

On the application of Mr Jones of counsel for the appellant. and of Mr Attorney General Cushing of counsel for the appellees. it is now here ordered by the Court that the time under the 33d rule of Court for the argument of this cause be extended to five hours on each side and that the said time be allotted between the counsel by themselves.

Proclamation being made the court is adjourned until tomorrow morning at eleven o'clock.—

Pursuant to adjournment the court met this morning at the Capitol

Present

The Honorable Roger B. Taney, Chief Justice
John McLean
James McKinley
John Catron, Associate
Samuel Nelson, Justices
Robert C. Grier
Benj[amin] R. Curtis
John A. Campbell
Jonah D. Hoover Esquire, Marshal
William Thomas Carroll, Clerk

Proclamation being made the court is opened.

William B. Shields et al. vs. Robert R. Barrow. Appeal from the Circuit Court of the United States for the Eastern District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Louisiana and was argued by counsel. On consideration whereof it is now

here ordered, adjudged and decreed by this court that the decree of the said Circuit Court in this cause be and the same is hereby reversed with costs, and that this cause be and the same is hereby remanded to the said Circuit Court with directions to that court to dismiss the original and cross bills in this cause.

Pr. Mr Justice Curtis.

Robert Wickliffe, administrator with the will annexed of Luke Tiernan, deceased.

63. vs. Compt & Appr.

Benjamin Eve, in his own right, and as administrator of Joseph Eve, deceased, Richardson Adams, Executor of Randolph Adams, deceased, Robert P Letcher, James Ballinger and Franklin Ballinger.

Appeal from the Circuit Court of the United States for the District of Kentucky.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Kentucky and was argued by counsel. On consideration whereof, it is now here ordered

adjudged and decreed by this court that the decree of the said circuit court in this cause be and the same is hereby affirmed with costs.

Pr. Mr Justice Matson.

John C. Fremont Appt. The argument of
vs.
The United States

this cause was continued by Messrs Jones and Webb of counsel for the appellant and by the Attorney General touching of counsel for the appellees.

Proclamation being made the court is adjourned until tomorrow morning at eleven o'clock. —

Wednesday February 21. 1855.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Roger B. Taney Chief Justice
John McLean
James M. Wayne
John Catron Associate
Samuel Nelson Justices
Robert C. Grier
Benjn R Curtis
John A. Campbell

Jonah D Hoover. Esquire. Marshal
William Thomas Carroll. Clerk.

Proclamation being made the Court is opened.

On motion first made to the court in this behalf by Mr Attorney General Cushing, it is ordered that James A McDougall Esquire. of California. be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.—

John B. Fremont. Appt
vs
The United States

The argument of the cause was continued by Mr Attorney General Coulter of counsel for the appellees and by Mr Brattenden of counsel for the appellant.

Proclamation being made the court is adjourned until tomorrow morning at eleven o'clock.

Thursday February 22 1855

Pursuant to adjournment the Court met this morning at the Capitol.

Present,

The Honorable Roger B. Taney, Chief Justice
John McLean
James M. Wayne
John Catron — Associate
Peter V. Daniel — Justices
Samuel Nelson
Robert C. Grier
Benjn. R. Curtis
John A. Campbell

Donah D. Hoover, Esquire, Marshal.
William Thomas Carroll, Clerk

Proclamation being made the court is opened.

72 John C. Fremont. Appt. vs The United States

The argument of this cause was concluded by Mr Cullenden of counsel for the appellant.

Eli Ayres et al Appts
vs
Moses Carver et al

The argument of this cause was commenced by Mr. Adams of counsel for the appellants, continued by Mr Buckey of counsel for the appellees and concluded by Mr Adams for the appellants. —

Proclamation being made the court is adjourned until tomorrow morning at eleven o'clock. —

Friday February 23d 1853.

Pursuant to adjournment the court met this morning at the Capitol.

Present.

The Honorable Roger B. Taney, Chief Justice
John McLean
James M. Wayne
John Catron
Peter V. Daniel
Samuel Nelson
Robert C. Grier
Benjn R. Curtis
John A. Campbell
Associate Justices

Donah D. Hoover. Esquire. Marshal.
William Thomas Carroll. Clerk.

Proclamation being made the Court is opened.

The York & Cumberland Rail road Company. vs Pltff in Er
142. John G. Meyers.

The motion filed in this cause on a prior day of the present term. to wit. on Monday the 28th ultimo. was argued by Mr Smith in support thereof and by Mr Clifford in opposition thereto. On consideration whereof. it is now here ordered by the Court that

said motion be and the same is hereby continued to the next term.

The United States. pffs
vs.
Lindsey Nicholson Jr. deft

133

The argument of this cause was commenced by Mr. Attorney General Cushing of counsel for the plaintiffs. continued by Mr Lothrop of counsel for the defendant and concluded by the Attorney General Cushing for the plaintiff.

John Monahan pff
vs.
Charles G. Miller's Exr deft

70.

This cause was submitted to the court on the record and printed arguments by Mr Heath of counsel for the plaintiff and by Messrs Lyons and Stanard of counsel for the defendants. -

Samuel G Comenna, Jat. pffs in Er.
vs.
Joshua W. Carr

73.

This cause having been called for argument and a stipulation by the respective parties to continue the same having been filed, it is thereupon now here ordered by the court that

this cause be and the same is hereby continued to the next term of this court.

The Baltimore & Southern Packet Company Appt
vs
Henry A. Barling et al

This cause having been called for argument and a stipulation by the counsel of the respective parties to continue the same having been filed it is thereupon now here ordered by the Court that this cause be and the same is hereby continued to the next term of this court.

77

William Gibson Appt
vs
William W. Corcoran

78

The argument of this cause was commenced by Mr Love of counsel for the appellant.

Proclamation being made the Court is adjourned until Monday morning at eleven o'clock.

Pursuant to adjournment the court met this morning at the Capitol.

Present.

The Honorable Roger B. Taney, Chief Justice
John McLean,
James M. Wayne,
John Catron, } Associate
Peter V. Daniel, } Justices.
Samuel Nelson,
Robert C. Grier,
Benjn R. Curtis,
John A. Campbell,

Jonah D. Hoover, Esquire, Marshal.
William Thomas Carroll, Clerk.

Proclamation being made the court is opened.

On motion first made to the court in this behalf by the Attorney General Cushing, it is ordered that Milton S. Latham, Esquire, of California, be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly. —

On motion first made to the court in this behalf by Mr Peckham it is ordered that Gustav Miller and John H White. Esquires. of New York. be admitted to practice as attorneys and counsellors of this court and they were severally sworn accordingly.—

William Judson. Appt
vs
William W. Corcoran

The argument of this cause was continued by Mr Love. of counsel for the appellant and by Messrs Carlisle and Bradley of counsel for the appellee.

Proclamation being made the court is adjourned until tomorrow morning at eleven o'clock...

Pursuant to adjournment the court met this morning at the Capitol.

Present

The Honorable	Roger B. Taney,	Chief Justice
	John McLean	
	James McKinyne	
	John Catron	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Robert C. Grier	
	Benjn. R. Curtis Esq	
	John A. Campbell.	

Donah D. Hoover. Esquire. Marshal.
William Thomas Carroll. Clerk

Proclamation being made the Court is opened.

(On motion first made to the Court in this behalf by Mr Reverdy Johnson, it is ordered that Charles H. W. Meehan. Esquire. of the District of Columbia, be admitted to practice as an attorney and counsellor of this court. and he was sworn accordingly.)

Daniel South et al. pffs in Er
vs
The State of Maryland use of Jonathan W. Polle.

This cause having been argued by coun. sel upon consideration a re-argument is ordered, and the following questions suggested to be argued by counsel at the next term of the court

1 Whether or not the declaration contains a cause of action entitling the plaintiff (Polle) to recover against the sheriff and his sureties within the condition of the official bonds according to the laws of the State of Maryland?

2 Whether or not the Sheriff as conservator of the public peace is liable to a civil action for an injury to the person or property of an individual from a riotous assembly or mob according to any law of the State of Maryland if it should appear said sheriff unreasonably omitted or neglected to exert his authority to suppress it?

3 Whether or not the Sheriff as conservator of the public peace is liable to the plaintiff in an execution attending personally upon the levy or sale under it for any injury to his person or property from a riotous assembly

or mob. according to any law of the State of Maryland. if it should appear that said sheriff unreasonably omitted or neglected to exert his authority to suppress it?

4 Whether or not. in the case last stated the sheriff would be liable to the plaintiff in the execution. if he desisted in good faith from the exertion of his authority at the instance and request of said plaintiff while in the hands of the mob from an apprehension of greater bodily injury. if an effort should be made to suppress it?

71. William Judson Appt. vs. William W. Corcoran

The argument of this cause was concluded by Mr. Lawrence of counsel for the appellant.

79. The United States ex rel. Beverly Tucker Petitioner vs. A. G. Seaman Superintendent of public printing

The argument of this cause was commenced by Mr. Chilton of counsel for the plaintiff in

error. continued by Mr Attorney General Cushing of counsel for the defendant in error. and. by Mr Reverdy Johnson. Counsel for the plaintiff in error. —

Proclamation being made the court is adjourned until tomorrow morning at eleven o'clock. —

Pursuant to adjournment the court met this morning at the Capitol.

Present

The Honorable Roger B. Taney, Chief Justice.
John McLean
James M. Wayne
John Catron, Associate
Peter V. Daniel, Justices.
Samuel Nelson
Robert C. Grier
Benjn R. Curtis
John A. Campbell

Donald D. Hoover, Esqre. Marshal.
William Thomas Carroll, Clerk

Proclamation being made the court is opened.

On motion first made to the court in this behalf by Mr Whilton. It is ordered that Allen B. Magruder, Esqre. of Virginia, be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

On motion first made to the court in this behalf by Mr Reverdy Johnson, it is ordered that Dwight H Olmstead, Esquire, of New York, be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

79 The United States, ex rel. Beverly Stucker. Pltff in Er. vs. A. B. Seaman, Superintendent of public printing

The argument of this cause was concluded by Mr Reverdy Johnson, Esq. of counsel for the plaintiff in error.

80 Jack T Griffen, Sheriff &c as Pltff in Er vs James H Reynolds

This cause was argued by Messrs. Reverdy Johnson and Reverdy Johnson, Jr. of counsel for the plaintiffs in error and submitted on a printed argument by Mr Lawrence in behalf of the defendant in error.

Proclamation being made the court is adjourned until tomorrow morning at eleven o'clock.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Roger B. Taney, Chief Justice
John McLean
James McKinley
John Catron Associate
Peter V. Daniel Justices
Samuel Nelson
Robert C. Grier
Benja. R. Curtis
John A. Campbell

Donald D'Hoover. Esquire. Marshal.
William Thomas Carroll. Clerk.

Proclamation being made the court is opened.

On motion first made to the court in this behalf by Mr Bellet, it is ordered that Andrew Oliver and James Maurice, Esquires, of New York, and Thomas M. Cockwood, Esquire, of Michigan, be admitted to practice as attorneys and counsellors of this court and they were severally sworn accordingly.

Thursday. March 1, 1815. continued.

On motion first made to the court in this behalf by Mr. Attorney General Cushing it is ordered that Thomas Wayne, Esquire, of Illinois, and Washington Murray, Esquire, of New York, be admitted to practice as attorneys and counsellors of this court and they were severally sworn accordingly. —

On motion first made to the court in this behalf by Mr Reverdy Johnson, Esq^r. it is ordered that Alexander C. McPennington, Esquire, of New Jersey, John Fitcher, Esquire, of Virginia, and Hector L. Stevens, Esquire, of Michigan, be admitted to practice as attorneys and counsellors of this court and they were severally sworn accordingly. —

Hugh Maxwell, Jeffin Er
vs.
John F Baker

137

In error to the Circuit Court of the United States for the Southern District of New York.

Mr Cutting of counsel for the defendant in error having filed and read in open court the following certificate, to wit

"In the Circuit Court of the United States for the Southern District of New York.

John G Baker vs Hugh Maxwell.

S. John W. Nelson Clerk of the Circuit Court of the United States for the Southern District of New York in the Second Circuit. do hereby certify that the above entitled cause was brought to trial and a verdict rendered therein in favor of the plaintiff, on which a final judgment was duly entered and docketed on the tenth day of January in the year 1833 that a writ of error to the Supreme Court of the United States was sued out by the defendant and allowed on the twenty ninth day of November in the year 1834, and that no return has been made to the same.

In Testimony whereof. I have hereunto set my hand and affixed the seal of the said Court. the 21st day of January A. D. 1838.

John W. Nelson, Clerk".

and having stated that the plaintiff in error had altogether failed to file the record of said cause in this Court or in any way

to prosecute said writ of error, now here moved the court in pursuance of the 65th rule of this court to have this writ of error docketed and dismissed. On consideration whereof, it is now here ordered and adjudged by this court that this writ of error to the Circuit Court of the United States for the Southern District of New York, be and the same is hereby docketed and dismissed with costs and that this cause be and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity to law and justice the said writ of error notwithstanding.

Per Mr Chief Justice Taney

William A Booth Appt
vs
Ferdinand Clark

49 Appeal from the Circuit Court of the United States for the District of Columbia holden in and for the County of Washington.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Columbia holden in and for the county of Washington and was argued by counsel on

consideration whereof, it is now here ordered, adjudged and decreed by this court that the decree of the said circuit court in this cause be and the same is hereby affirmed with costs.

Per Mr. Justice Wayne.

41. Levi D. Boone, admr of Wm. Thomas, dec'd, Appts vs. The Missouri Iron Company

Appeal from the circuit court of the United States for the District of Missouri.

This cause came on to be heard, on the transcript of the record from the circuit court of the United States for the District of Missouri, and was argued by counsel. On consideration whereof, it is now here ordered adjudged and decreed by this court, that the decree of the said circuit court in this cause be and the same is hereby affirmed with costs.

Per Mr. Justice McLean

Zack & Graffon & wife
vs
James H. Reynolds

80 Pleffm Er. The argument of this cause was concluded by Mr Priendy Johnson & of counsel for the plaintiff in error

John Holroyd Pleffm Er.
vs
Levi Pumphrey.

81 This cause having been called for argument and it appearing to the court here that the counsel for the respective parties have filed a stipulation to continue the same, it is thereupon now here ordered by the Court that this cause be and the same is hereby continued to the next term of this court.

Benjamin F. Morgan
vs
Alfred R Burleimstre

82 Pleffm Er. On the motion of Mr Washburne of counsel for the plaintiff in error stating that no appearance had been entered for the defendants in error it is now here ordered by the Court that this cause be and the same is hereby continued to the next term of this court.

Isaac R. Smith, owner of Sloop Volant Pltff in Er. vs The State of Maryland

83

This cause having been called for argument and it appearing to the court here that the counsel for the respective parties have filed a stipulation to continue the same it is thereupon, now here ordered by the court that this cause be and the same is hereby continued to the next term of this court.

Alexander Donaldson, Jal Pltff in Er. vs Roger Stewart.

84

This cause was argued by Mr. Phil, Lips of counsel for the plaintiffs in Error.

William Christy Pltff in Er. vs Henry D Bullard's admr

85.

This cause was submitted to the consideration of the court on the record and printed arguments by Messrs Swellander, Summers and Hughes of counsel for the plaintiff in error and by Messrs Hall and Harden of counsel for the defendant in error. —

Thursday. March 1 1838 continued

Proclamation being made the court is adjourned until tomorrow morning at eleven o'clock

Pursuant to adjournment the court met this morning at the Capitol.

Present

The Honorable Roger B. Taney, Chief Justice
John M'Lean
John Catron Associate
Peter V Daniel "
Samuel Nelson
Robert C. Grier
Benjn R Curtis
John A. Campbell

Jonah D. Hoover, Esquire, Marshal,
William Thomas Carroll, Clerk.

Proclamation being made the court is opened.

Charles Moulton, Appt. vs Lafayette Maynard et al. The argument of this cause was commenced by Mr Wheat of counsel for the appellant, continued by Mr Cutting of counsel for the appellees and concluded by Mr Wirt in behalf of the appellant.

Friday. March 2. 1855. continued.

86. John. C. Hays Jiffm Ex. vs The Pacific Mail Steam ship Company

The argument of this cause was commenced by Mr Brent of counsel for the plaintiff in error.

Proclamation being made the court is adjourned until Monday morning at eleven o'clock.

Pursuant to adjournment the court met this morning at the Capitol.

Present

The Honorable Roger B. Taney, Chief Justice.
John McLean,
John Catron,
Peter V. Daniel, } Associate
Samuel Nelson, } Justices.
Robert C. Grier,
Benja. R. Curtis,
John A. Campbell,

Jonah D. Hoover, Esquire, Marshal
William Thomas Carroll, Clerk.

Proclamation being made, the court is opened.

On motion first made, to the court in this behalf by Mr Woodroff, it is ordered that Lucius Patterson, Esquire, of Michigan, be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly. —

On motion first made to the court in this behalf by Mr Phillips it is ordered that Thomas A. Hendricks. Esquire. of Indiana. be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly. —

On motion first made to the court in this behalf by Mr Attorney General Cushing. it is ordered that Norman B. Judd. Esquire. of Illinois. be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

John C. Hays Pltff in Er. vs The Pacific Mail Steamship Company

86

The argument of this cause was continued by Messrs Ewing and Vinton of counsel for the defendants in error. —

Proclamation being made the court is adjourned until tomorrow morning at eleven oclock. —

Pursuant to adjournment the court met this morning at the Capitol.

Present

The Honorable Roger B. Taney, Chief Justice
John McLean
John Catron
Peter V. Daniel, Associate
Samuel Nelson, Justices.
Robert C. Grier
Benja. R. Curtis,
John A. Campbell.

Jonah D. Hoover. Esquire. Marshal.
William Thomas Carroll. Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Westcott, it is ordered that N. P. Banks Jr. Esquire. of Massachusetts and Charles Dunn. Esquire. of Wisconsin. be admitted to practice as attorneys and counsellors of this Court and they were severally sworn accordingly.

On motion first made to the Court in this behalf by Mr. Key. it is ordered that David A. Noble. Esquire. of Michigan. be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

The State of Florida. Compt

vs

The State of Georgia

Bill in Equity.

On motion of Mr. Attorney General Cushing to intervene in behalf of the United States.

Ordered that the Attorney General have leave to adduce evidence either written or parol and to examine witnesses and file their depositions in order to establish the boundary claimed by the United States.

Per Mr Chief Justice Taney.

Dissenting.

Mr Justice Curtis

" " McLean

" " Campbell

" " Daniel

Mary Lewis, administratrix of Stephen A. Lewis, dec'd
vs
Edward K. Bell, assignee of A. Bell & al

73. Appeal from the Circuit Court of the United States for the District of Columbia holden in and for the County of Washington.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Columbia holden in and for the County of Washington and was argued by counsel on consideration whereof, it is now here ordered, adjudged and decreed by this court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs. —

Per Mr Justice Grier.

John C. Hays pet'r Er
vs.
The Pacific Mail Steam-ship Company.

86. The argument of this cause was concluded by Mr. Hay of counsel for the defendant in error.

Tuesday. March 6th. 1855 continued

William D. Bruce et al
vs
The Farmers Bank of Virginia et al

88 Jeffords &c

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr Hamberry of counsel for the plaintiffs in error, and by Mr Fletcher of counsel for the defendants in error.

William H Jones et al
vs
Thomas Mc League

89 Jeffs in Er.

The counsel of the respective parties having filed a stipulation to continue this cause. it is thereupon now here ordered by the Court that this cause be and the same is hereby continued to the next Term.

Proclamation being made the court is adjourned until tomorrow morning at eleven o'clock.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Roger B. Taney, Chief Justice
John Catron
Peter V. Daniel, Associate
Samuel Nelson, Justices.
Robert C. Grier
Benjn. R. Curtis
John A. Campbell

Jonah H. Hoover, Esquire, Marshal.
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Loudenden, it was ordered that Valentine P. Chaffin, Esquire, of Kentucky, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Wednesday. March 7th 1838 continued

90.	David Bush. Plff in Er vs Marborn Cooper's. Admr	This cause was argued by Mr Crittenden of counsel for the defendant in error and by Mr Wayard of counsel for the plaintiff in error.
3.	The State of Florida. Compt vs The State of Georgia. Respt	Bill in Equity.

The several motions filed this date by the counsel of the respective parties were argued by Mr Westcott of counsel for the complainant and by Mr Badger of counsel for the respondent.

Proclamation being made the court is adjourned until tomorrow morning at eleven o'clock. —

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable Roger B. Taney, Chief Justice
John McLean
John Catron
Peter V. Daniel, Associate
Samuel Nelson, Justices,
Robert C. Grier
Benja. R. Curtis
John A. Campbell

Donah. W. Hoover, Esquire, Marshal.
William Thomas Carroll, Clerk

Proclamation being made the court is opened.

On motion first made to the court in this behalf by Mr Reverdy Johnson, it is ordered that Edwin O. Perrin, Esquire, of New York, and Richard H. Stanton, Esquire, of Kentucky be admitted to practice as attorneys and counsellors of this court and they were severally sworn accordingly.

Thursday March 8th 1855 continued.

Moses Wanzer & Babey & Harrison . Appts
vs
John H. & Bennet R. Truly

. Appeal from the Circuit Court of the United States for the Southern District of Mississippi.

68.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Mississippi and was argued by counsel. On consideration whereof, it is now here ordered, adjudged and decreed by this court that the decree of the said Circuit Court in this cause be and the same is hereby reversed with costs, and that this cause be and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity to the opinion of this court and as to law and justice shall appertain.

Per Mr Justice Campbell

Dissenting.

Mr Justice Daniel
Mr Chief Justice Taney
Mr Justice McLean.

Jack J. Griffin & wife. In error to the District
80 vs Appl. Court of the United States
James A. Reynolds. for the Northern District
of Mississippi.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of Mississippi and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this court that the judgment of the said District Court in this cause be and the same is hereby reversed with costs and that this cause be and the same is hereby remanded to the said District Court with directions to award a venire facias de novo.

Per Mr Justice Campbell

The United States. Appls On a certificate of
135. vs division in opinion
Lindsey Nickerson & between the Judges
of the Circuit Court
of the United States for the District of
Massachusetts.

This cause came on to be

heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts and on the points on which the Judges of the said Circuit Court were opposed in opinion and which was certified to this court for its opinion agreeably to the act of Congress in such case made and provided. and was argued by counsel. On consideration whereof it is the opinion of this court that the special plea pleaded by the defendant is a good plea in bar to the indictment. whereupon it is now here ordered and adjudged by this court that it be so certified to the said Circuit Court.

Per Mr Justice Curtis.

Alexander Dennistoun. John Dennistoun. William Craig Moylne and William Wood partners under the style of A. Dennistoun & Co

84 vs Pffs in Er

Roger Stewart.

In error to the Circuit Court of the United States for the Southern District of Alabama.

This cause came on to be heard

on the transcript of the record from the Circuit Court of the United States for the Southern District of Alabama and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this court that the judgment of the said circuit court in this cause be and the same is hereby reversed with costs, and that this cause be and the same is hereby remanded to the said Circuit Court with directions to award a venire facias de novo.

Mr Justice Grier.

Eli Ayres and Thomas N Niles - Complainants on Cross Bill. Appellants

vs.

Hiram Carver, Joseph W. Matthews, James Brown, Jacob Thompson, John P Jones, William H. Duke and John W. Crawford.

Appeal from the District Court of the United States for the Northern District of Mississippi.

This cause came on to be heard on the transcript of the record from the District Court of the United States for

the Northern District of Mississippi and was argued by counsel. On consideration whereof, it is now here ordered, adjudged and decreed by this court that this cause be and the same is hereby dismissed for the want of jurisdiction.

(per Mr Justice Nelson.

Morgan B. Winkle, in his own right, and as administrator de bonis non of John Fisher, decd

43. vs. Compt. & Appt

Moses Wanzer, James F. Johnson and John L. Hunter.

Appeal from the Circuit Court of the United States for the Southern District of Alabama...

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Alabama and was argued by counsel. On consideration whereof, it is now here ordered, adjudged and decreed by this court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

(per Mr Justice Daniel.

76. John Wenshaw Jeff. vs John R. Miller. Executor of Charles E. Miller. dec'd. On a certificate of division in opinion between the Judges of the Circuit Court of the United States for the Eastern District of Virginia.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Virginia and on the point or question on which the Judges of the said Circuit Court were opposed in opinion and which was certified to this court for its opinion agreeably to the act of Congress in such case made and provided, and was argued by counsel On consideration whereof it is the opinion of this court that this action did not survive against the executor of the defendant, and that it did abate by the defendant's death. Whereupon it is now here ordered and adjudged by this court that it be so certified to the said Circuit Court.

Per Mr Justice Daniel.

William Dudson. Appt
vs
William W Corcoran

Appeal from the Circuit Court of the United States for the District of Columbia. holden in and for the County of Washington

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Columbia holden in and for the County of Washington and was argued by counsel. On consideration whereof it is now here ordered. adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

Per. Mr Justice Catron.

Joseph Bassige and Thomas A Goddard. Copts in Er.
vs
James Brown & Thomas B. Curtis. trustees of said Brown

In error to the Circuit Court of the United States for the District of Massachusetts.

This cause came on to be heard on the transcript of the

record from the Circuit Court of the United States for the District of Massachusetts and was argued by counsel on consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby reversed with costs, and that this cause be and the same is hereby remanded to the said Circuit Court with directions to award a venire facias de novo.

Per Mr Justice McLean.

Dissenting.

Mssrs Justices Campbell, Nelson and Curtis.—(Mr Justice Catron did not sit in this cause.)

James D. Peck, William Aspeal from the Cir-
Workman, and Edward, Ho cuit Court of the United
Fitzmuth, owners of the States for the Eastern
Steamship Columbus District of Pennsylva-
vs. nia.
John Sandiesen. Libellant.

This cause came on
to be heard on the transcript of the record
from the Circuit Court of the United States

for the Eastern District of Pennsylvania, and was argued by counsel. On consideration whereof it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby reversed with costs, and that this cause be and the same is hereby remanded to the said Circuit Court with directions to dismiss the libel with costs in that court.

Per Mr Chief Justice Taney.

The United States, ex relation Beverly Tucker
vs
A. G. Seaman, Superintendent of public printing

77

In error to the Circuit Court of the United States for the District of Columbia holden in and for the County of Washington.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Columbia holden in and for the county of Washington and was argued by counsel. On consideration whereof it is now

have ordered and adjudged by this court that the judgment of the said Lorcum Court in this cause be and the same is hereby affirmed with costs.

Per. Curiam Chief Justice Tawney

The State of Pennsylvania. It is now here ordered
2 vs. Compt by the court that this
The Wheeling & Belmont cause be held under
Bridge Company et al. advisement and that
the same be, and
hereby is continued to the next term of
this court.

The State of Pennsylvania. It is now here ordered
1 vs. Compt by the court that
The Wheeling and Belmont this cause be held
Bridge Company. under advisement &
that the same be &
hereby is continued to the next term of this
court.

Henry R. Bell et al. Appls
vs
James L. Heck. et al

It is now here ordered by the Court that this cause be held under advisement and that the same be and hereby is continued to the next Term of this court.

96

William W. Price et al
vs
The Farmers Bank of Virginia

Petition &c

It is now here ordered by the Court that this cause be held under advisement and that the same is and hereby is continued to the next Term of this Court.

88

The State of Florida
vs
The State of Georgia

Compt

The counsel of the respective parties having agreed that the general replication filed the 28th ultimo in this cause should be entered as having been filed by consent, it is thereupon now here ordered by the court that the complainants motion for leave to file the same be and the same is hereby overruled.

3.

The State of Florida, On consideration of the
3 vs Comp't. motion filed yesterday by
The State of Georgia. the Respondents counsel
for the appointment of
a Commissioner and surveyor. and. of the argu-
ments of counsel thereupon had. as well in
support of as against the same. it is now here
ordered by the court that the said motions
be and the same is hereby overruled.

The State of Florida) On consideration of
3 vs) Comp't the several motions
The State of Georgia filed yesterday by the
complainants counsel
and of the arguments of counsel thereupon
had, as well in support of as against the
same, it is ordered by the court that the
said motions be and they are hereby over
ruled. And it is further now here ordered
by the court that the said parties in said
causes be allowed until the first Monday
of December 1855. to obtain, take and file
the testimony and proofs. by said parties
respectively to be adduced and given in evi-
dence, on the hearing of said causes; and,

that to enable said parties respectively, so to do, commissions in the usual form be issued by the clerk to examine witnesses, upon application of either party, accompanied by interrogatories, a copy whereof has been served upon the adverse party, or its solicitor or counsel, 20 days previous to such application in order that cross interrogatories may be filed within said 20 days by such adverse party; and that the Commissioner or Commissioners in each instance, if not agreed upon by the counsel of the respective parties, be named by the Chief Justice, or one of the Associate Justices of this court; and that forthwith on the return of any commission executed, the clerk do open and file the same, and cause the same to be printed for the use of said parties:

And also that any exceptions to testimony may be taken at the final hearing, and if exceptions be then taken to the competency of testimony, which the opposite party can remove by further proof, the court will reserve the decision and give time to the party to produce it.

And also. That said cause be set for final hearing on the bill. answer. replication. exhibits. testimony and proofs. so ordered. filed and admitted on the second Monday of January 1956. unless cause be then shown to the court for the continuances thereof..

On Proclamation being made the court is adjourned until Saturday morning at eleven oclock...

Saturday. March 10th 1855.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable. Roger B. Taney — Chief Justice
John Catron
Peter V. Daniel — Associate
Samuel Nelson — Justices.
Robert C. Grier
Benja. R. Curtis
John. A Campbell

Donald. L. Hoover. Esquire. Marshal.
William Thomas Carroll. Clerk

Proclamation being made the Court is opened.

On motion first made to the court in this behalf by Mr. Attorney General Cushing. it is ordered that J. Bankhead. Magruder. Esquire. of Maryland and R. H. Wightman. Esquire. of New Mexico. be admitted to practice as attorneys and counsellors of this court and they were severally sworn accordingly. -

On motion first made to the court in this behalf by Mr Wm Laurey Jones, it is ordered that Calhoun Benham, Esquire, of California, be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

William Christy Appellant. In error to the Dis
53. (vs.) trict Court of the
Lodowick P. Alford, admr United States for the
of Henry W Ballard, deceased. District of Texas.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Texas and was argued by counsel, on consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be and the same is hereby affirmed with cost.

Per Mr Justice Curtis.

Charles Montcurn Appt
vs
Lafayette Maynard Gilbert A Grant Thomas G Wells Lucien Shermer Fred Billings Charles T Botham Isaac T Moll F De La Montagne E M Neal & Thomas L Chapman

Appeal from the District Court of the United States for the Northern District of California

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of California and was argued by counsel. on consideration whereof it is now here ordered adjudged and decreed by this court that the decree of the said District Court in this cause be and the same is hereby affirmed with costs.

(per Mr Justice Grier)

44 The United States Appts
vs
Archibald A Ritchie

Appeal from the District Court of the United States for the Northern District of California.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of California and was argued by counsel. On consideration whereof, it is now here ordered, adjudged and decreed by this Court that the decree of the said District Court in this cause be and the same is hereby affirmed.

per. Mr Justice Nelson.

Mr Justice Daniel did not sit in this cause.

The schooner Catharine, her tackle &c. Stanley W. Lewis & al owners and claimants. Appts vs. Noah Dickinson. Simon H. Hubbard. Oliver P. Smith. David Russell. Esqr. William and David McBurn. Libellants

Appeal from the Circuit Court of the United States for the Southern District of New York

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York and

was argued by counsel. On consideration whereof it is now here ordered, adjudged and decreed by this court that the decree of the said Circuit Court in this cause be and the same is hereby reversed with costs and that this cause be and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity to the opinion of this court and as to law and justice shall appertain.

Per Mr Justice Nelson.

86. John C Hays petitioner vs The Pacific Mail Steamship Company. In error to the District Court of the United States for the Northern District of California.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of California and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this court that the judgment of the said District Court in this cause be and the same is hereby

affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of California.

Mr. Justice Nelson dissenting.

Mr. Justice Daniel.

John Charles Fremont vs The United States. Appeal from the District Court of the United States for the Northern District of California.

72.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of California and was argued by counsel. On consideration whereof it is the opinion of this court that the claim of the petitioner to the land as described and set forth in the record is a good and valid claim. Whereupon it is now here ordered, adjudged and decreed by this court that the decree of the said District Court in this cause be and the same is hereby reversed, and that this cause be and the same is hereby remanded to the

said District Court. for further proceedings to be had therein in conformity to the opinion of this court.

per Mr Chief Justice Taney

Dissenting.

Mr Justice Catron

Mr Justice Campbell.

Mr Justice Daniel did not sit in this cause.

David Bush. Petitioner
vs
Maborn Cooper's Admr

90

It is ordered that this cause be continued to the next term of the court, and be then argued at the bar, in its order on the docket. upon the following question.

Whether the discharge of Bush under the Bankrupt law, enabled him to set up the title afterwards acquired by him, to defeat the operation of his deed of March 17. 1830

Appointment of Cryer

It is now here ordered by the court that George W. Phillips Esquire. of the City of Washington and District of Columbia. be and he is hereby appointed the Cryer of this court. with all the rights. privileges and emoluments thereunto by law belonging. —

Proclamation being made the Court is adjourned to the time and place appointed by law. —

8064

At the Capitol of the United States in the city of Washington and District of Columbia being the present seat of the National Government of the United States on the first Monday of December (being the third day of the same month) in the year of our Lord one thousand eight hundred and fifty five and of the independence of the United States the eightieth the Supreme Court of the United States met agreeably to law.

Present

The Honorable John McLean
James McKinley
John Catron. Associate
Peter V. Daniel Justices
Samuel Nelson
Robert C. Grier
Benjn. R. Curtis
John A. Campbell

Jonah D. Hoover Esquire. Marshal.
William Thomas Carroll. Clerk.

Proclamation being made the court is opened.

Mr Justice McLean announced to the Bar that the court would commence the call of the docket tomorrow under the 36th rule.

Proclamation being made the court is adjourned until tomorrow morning at Eleven Oclock.

Pursuant to adjournment the court met this morning at the Capitol.

Present

The Honorable John McLean
James M. Wayne
John Catron
Peter V. Daniel Associate
Samuel Nelson Justices
Robert C. Grier
Benja R. Curtis
John A. Campbell

Elias D. Hoover Esquire Marshal
William Thomas Carroll Clerk

Proclamation being made the court is opened.

On motion first made to the court in this behalf by Mr Lawrence it is ordered that Thomas G. Johnson Esquire of Maryland be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

The State of Florida } Mr Johnson of coun-
vs } (Compl) sel for the complain-
The State of Georgia ant having stated
to the court that he
had placed on the files of the court in
this cause a letter from the Attorney
General of Florida from which it ap-
peared that the matters in controversy
would be settled and agreed by the parties,
moved the court to continue this cause
to the next term. On consideration whereof
it is now here ordered by the court that
this cause be and the same is hereby
continued to the next term of this court.

Sarah Kilgell Griffin &c } Mr Kennedy Johnson
vs } of counsel for the
St Louis Public Schools plaintiffs in error
moved the court
for an extension of time under the 30th
rule for the argument of this cause.
Whereupon the court not being now here
sufficiently advised of and concerning what
order to render in the premises took time
to consider

The United States Appts. The argument
1. vs) of this cause was
Barker & Reading. commenced by the
Attorney General
Reading of counsel for the appellants.
and continued by Messrs Lawrence and
Wibb of counsel for the appellee.

Proclamation being made the
court is adjourned until tomorrow morn-
ing at Eleven o'clock.

Wednesday December 9, 1835

Pursuant to adjournment the court met this morning at the capitol

Present

The Honorable John McLean
James M. Wayne
John Catron — Associate
Peter V. Daniel — Justices
Samuel Nelson
Robert C. Grier
Benj R. Curtis
John A. Campbell

Donah D. Hoover, Esquire. Marshal.
William Thomas Carroll. Clerk.

Proclamation being made the court is opened.

On motion first made to the court in this behalf by Mr. Crittenden, it is ordered that O. H. Browning, Esquire, of Illinois, be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly.

1. The United States Apts. vs Pearson & Reading. The argument of this cause was concluded by Mr. Attorney General touching of counsel for the appellants.

2. Thomas Barnard's heirs &c. vs Apts. Mr. Lawrence of counsel for the appellees having stated that the appearance of Leland P. Craig and Julius W. Craig the only heirs at law of Silas Craig, whose death was suggested at the last term had been filed, moved the Court for an order making them parties appellees in this cause on consideration whereof it is now here ordered by the Court that the appearance of Leland P. Craig and Julius W. Craig heirs of Silas Craig deceased, be and they are hereby entered as co appellees in this cause with liberty to assign this appeal.

Thomas Barnard's heirs } This cause was ar-
4 } Appls gued by Judges Lawrence
Lokester Ashley's heirs } and Lethieullier of
counsel for the ap-
pellees, and submitted on a printed ar-
gument by Mr Pike of counsel for the
appellants.

Henry White et al. } This cause was
3. } Pltffs in Er argued by Mr Berjeau
Paschal Rose's admrs } of counsel for the
plaintiffs in error, by
Mr Taylor for the defendants in error, and
submitted on a printed argument by Mr
Jarvis also of counsel for the defendants
in error.

Proclamation being made, the
Court is adjourned until Tomorrow morning
at eleven o'clock.

Thursday December 6th 1835.

Pursuant to adjournment the court met this morning at the Capitol.

Present

The Honorable John McLean
James M. Wayne
John Catron
Peter V. Daniel
Samuel Nelson
Robert C. Grier
Benjn R. Curtis
John A Campbell

Associate Justices.

Benjn S. Brown, Esqre. Marshall.
William Thomas Carroll, Esqre.

Proclamation being made the court is open.

On motion ordered that the Court be hereafter held by the Marshal. It is ordered that Jeremiah M Wilson Esqre. of Penna. be admitted to practice as an attorney and counsellor of this court & he was accordingly.

On motion first made to the court in this behalf by General Howard. It is ordered that F. Murray Ruch, Esquire, of Pennsylvania, be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

The Steamer General Warner, Walter L. Wiggins, master, et al. claimants &c. Appts.
vs
Roswell Trustee, owner of the Steamer Arkansas &c Appl.

Appeal from the Circuit Court of the United States for the Eastern District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit court of the United States for the Eastern District of Louisiana and the appellants having been three times solemnly called by the marshal to come into court and prosecute their appeal; and failing to appear. It is thereupon on the motion of W. Benjamin of counsel for the appellee, now here ordered and decreed by this court that this cause be and the same

is hereby dismissed with costs.

By Mr Justice Jackson.

Court Crier proclaims. The argument of the cause was

6. (m.) Schaufler Vs. Hoffman. resumed by Mr Browning of counsel for the plaintiffs in error, continued by Mr Williams of counsel for the defendant in error and concluded by Mr Browning for the plaintiffs in error.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Pursuant to adjournment the court met this morning at the Capitol.

Present

The Honorable John McLean
James M. Wayne
John Catron
Peter V. Daniel — Associate
Samuel Nelson — Justices
Robert C. Grier
Benj. R. Curtis
John A. Campbell

Jonah D. Hoover Esquire. Marshal.
William Thomas Carroll. Clerk.

Proclamation being made the court is opened.

On motion first made to the court in this behalf by Mr Cadwalader. It is ordered that Edward Wales Esquire of Pennsylvania be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

Peter W. Craighead et al. Petition of execu-
tors etc. for leave to
Joseph E. Wilson et al. Cambridge Superior
Court
testamentary executors
of the last will and testament of Peter W.
Craighead, deceased, for Executors Petition
under of James E. Robertson, deceased, and
acting in his capacity of widow in accord-
ance with the said James E. Robertson and
as the natural tutrix duly qualified of Jos-
eph, Frederick, James E., Frederick D., Mary
Jane, William H. and Edward W. Robertson
four of his marriage with the said James
E. Robertson and now representing him as
his legal heirs. for Heather Schaefer, guar-
dian of Peter W. Craighead a minor;
for Rhoda Schaefer, widow of Joseph E.
Craighead, deceased, in her capacity of
widow and as natural tutrix of the min-
children John B., Charles D., William J., and
Jane Craighead, four of her marriage with
the said Joseph E. Craighead and repres-
ing him as his legal heirs; and for William
H. Robertson, Edward W. Robertson, an Charles
O. Robertson, heirs and legal representatives of

part of the said James E Robertson, de-
ceased, now comes into this honorable
court and moves the court that the said
James H Burbridge in his capacity of testa-
mentary executor of the said John H
Breckinridge, deceased, the said Ernestine
Schlatre in her capacity of widow and as
tutrix for the minors aforesaid, the said
Matthew Johnston in his capacity as guar-
dian as aforesaid; the said Phoebe White
as widow and as tutrix of her said minor
children; and the said William H. Ed-
ward M., and Charles D. Robertson as legal
heirs representing the said James E Rob-
ertson in part, may be permitted to appear
in the above entitled case and make them-
selves and become parties thereto upon the
record. On consideration whereof it is now
here ordered by the court that James
H Burbridge in his capacity of testamentary
executor of the said John H Breckinridge,
deceased; the said Ernestine Schlatre in her
capacity of widow and as tutrix for the
minors aforesaid, the said Matthew Johnston
in his capacity of guardian as aforesaid, the

and Charles Webb as widow and as heiress of her said minor children; and the said William M. Edmund M. and Charles H. Robertson as legal heirs representing the said James E. Robertson, in part, he and they are hereby made co-appellants in this cause with liberty to prosecute this appeal.

(Samuel L. McKenney, Stephen Cole, petitioner
vs
Joshua W. Carr, appellee of Samuel L. McKenney)

In error to the Circuit Court of the United States for the District of Maine.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Maine, and on the motion of Mr Rose of counsel for the plaintiffs in error, stating that the matters in controversy had been agreed and settled between the parties. It is now here ordered and adjudged by this court that this cause be and the same is hereby dismissed, without costs to either party. — per cur. Mr Mclean.

In the matter of William Wells } On petition for a writ of habeas corpus.

W. H. L. Jones. of counsel, for the petitioner having stated to the court that the petition was on file and verified by the affidavit of the petitioner, now here moved the court for a writ of habeas corpus in conformity to the terms of said petition. whereupon this court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

James H. Peck et al.. Mr Rush of counsel.
vs. Appl for the appellee having
John Anderson Dft. stated to the court
that the petition for
the appellee was on file and verified by the
affidavit of said appellee. now here moved
the court for a re hearing of the above en-
titled cause. which was opposed by Mr Walker
of counsel for the appellants whereupon
this court not being now here sufficiently
advised of and concerning what order to
render in the premises took time to

vs. Snider.

Ex parte. In the matter. On application of George Bunting to extend the time for filing a writ of error. Ordered. under the 65th rule of Court for filing a writ of error in this cause.

Mr Lawrence of counsel for the plaintiff in error in this cause having filed and read in open court a certificate of the clerk of the Circuit Court of the United States for the Eastern District of Tennessee, stating that a return to the writ of error could not be made within sixty days after the return day of said writ - moved the court for an extension of the time in conformity thereto whereupon the Court not being now sufficiently advised of and concerning what order to render in the premises took time to consider.

Ex parte. In the matter. On application to of Zachariah P. Swingly to extend the time under Chrestian, & Woods. the 6th rule of court for filing a return to the writ of error in this cause. —

Mr Lawrence of counsel for the plaintiff in error in this cause having filed and read in open court a certificate of the clerk of the Circuit Court of the United States for the eastern district of Louisiana stating that a return to the writ of error could not be made within less than ninety days after the return day of said writ moved the court for an extension of the time in conformity thereto whereupon this court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

John Graham - Plaintiff in Er. vs. Alexander Wayne. The argument of this cause was commenced by Mr Browning of counsel for the plaintiff in error, continued by Mr Williams of counsel for the defendant.

warrant and conducted by the Governor for the Plaintiff in error.

Nehemiah Bannister. On the motion of Mr
8 vs } Hill Rose is assigned for
the King Ann Lo Platt, the appellant it is
Ordered Mr Platt shall now have ordered by
the court that the
appearance of William Lo Munder admin-
istrator of Nehemiah Bannister, deceased, be
entered as appellant in this cause with
liberty to prosecute this appeal.

William Lo Munder adm. The argument of
of Nehemiah Bannister, dec'd this cause was
8. vs } Hill commenced by the
The King Ann Lo Platt. Rose assigned for
Ordered Mr Platt, counsel for the appellant.

Thereupon hearing was had the
court is adjourned until Monday morning
at 10 o'clock A.M.

S.C.84 Monday December 10. 1838.

Pursuant to adjournment the court met this morning at the capitol

Present

The Honorable John McLean
James M'Kinley
John Catron
Peter V. Daniel Associate
Samuel Nelson Justices
Robert C. Grier
Benja R. Curtis
John A. Campbell

Donah. B. Hoover Esquire Marshal.
William Thomas Carroll, Clerk.

Proclamation being made the court is opened.

On motion first made to the court in this behalf by Mr Pennington - it is ordered that David K. Boylan, Esquire, of New Jersey, be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly. -

On motion, first made to the court in this behalf by Mr Willett. it is ordered that Thomas J. Emmett, Esquire, of Pennsylvania. city. be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

Samuel Powell, Charles Mc Coors and John P. Carson vs. Appellees. George Draper & Eleazer Eldridge

In error to the District Court of the United States for the district of Texas.

1146

Mr. Phillips of counsel for the defendants in error having filed and read in open court the following certificate to wit

"United States District Court
District of Texas
George Draper & Eleazer Eldridge Appts.
vs.
Samuel Powell, Charles Mc Coors and John P. Carson. Defendants

I James Love Clerk of the U. States District Court. District of Texas, certify that judgment was rendered in favor of

plaintiffs on the 17th day of February 1851, being a day of the January Term 1851, for the sum of five thousand and twenty four dollars and seventy four cents. with interest thereon at the rate of eight per cent per annum from the date of judgment until paid, and fifty six dollars and five cents cost against the said defendants.

I further certify that the defendants sued out a writ of error on the 24th day of February 1851, to the Supreme Court of the United States to be holden in the City of Washington on the first Monday in December next which said writ of error was issued on the same day.

In witness whereof I have hereunto subscribed my name as clerk aforesaid and caused the seal of office to be affixed on the 31st day of October, AD. 1851. and the 76th year of the Independence of the U. States of America.

Seal

James Love, Clk."

and having stated that the plaintiffs in error had altogether failed to file the

record of said cause in this court or in any way to prosecute said writ of error now have moved the court in pursuance of the 6th rule of this court to have this writ of error docketed and dismissed. On consideration whereof it is now here ordered and adjudged by this court that this writ of error to the District court of the United States for the District of Texas be and the same is hereby docketed and dismissed with costs, and that this cause be and the same is hereby remanded to the said District Court for further proceedings to be had therein in conformity to law and justice the said writ of error notwithstanding.

per Mr Ju. McLean.

Ex parte. In the matter of William Wells &c. General Bowling having stated to the court that he desired to be heard in opposition to the prayer of the petition filed in this cause moved the court to set down the same for argument next Friday week;

to which Mr Wm. B. Jones of counsel for the petitioner assented. on consideration whereof it is now here ordered by the Court that this cause be and the same is hereby set down for argument on next Friday week, the 21st instant.

Deborah Rand et al. (In error to the
vs. } Dist. Ct. Circuit Court of the
Samuel W. Turner Defdt. United States for
the district of New
Jersey.

Mr Pennington of counsel for the defendant in error having filed and read in open court the following certificate. to wit:

"Circuit Court of the United States for the Third Circuit and District of New Jersey

John Doe, on the demise of
Samuel W. Turner } In trespass v.
vs } ejectment.
Deborah Rand, Caleb H. Parker,
John Parker, Caleb M. Mann,
Joseph Wiley, Theodore Wiley, Josiah

E. Nevin & Deborah Nevin.
United States
District of New Jersey } ss:

I, Philemon Dickerson, junior, clerk of the circuit court of the United States for the third circuit and district of New Jersey, do hereby certify that an action of ejectment wherein the parties were as is above stated, was duly depending in the said court, and that judgment was rendered therein for the plaintiffs, on the fourth day of October last past, during the last term of the said court held on the fourth Tuesday of September last past and continued from thence until the twenty sixth day of October last past. I further certify that a writ of error for removing said judgment to the Supreme Court of the United States was presented to the said Circuit Court on the day and year last aforesaid, on behalf of the defendants in the above stated action, and that the said writ of error was duly issued out and allowed, and that the same is claimed by the said defendants to

to a supersedeas or stay of proceedings in the said judgment.

In testimony whereof, I have hereunto set my hand and affixed the seal of the said Circuit Court the Seventh day of December in the year of our Lord one thousand eight hundred and fifty five.

Thurman Dickerson, Clerk.

and having stated that the plaintiff in error had altogether failed to file the record of said cause in this Court or in any other way to prosecute said writ of error, now here moved the Court in pursuance of the 6th rule of this Court to have this writ of error docketed and dismissed. On consideration whereof it is now here ordered and adjudged by this Court that this writ of error to the Circuit Court of the United States for the district of New Jersey be and the same is hereby docketed and dismissed with costs, and that this cause be and the same is hereby remanded to the said Circuit Court for further proceedings to be had

therein in conformity to law and justice, the said writ of error notwithstanding.

per Mr Bus. McKean.

White, Interne Vice Jeffreys. Mr Bongarre of
3. counsel for the
Paschal Rossi vs Administrator plaintiffs in error
having filed and
read in open court a suggestion of a diminution of the record in this cause in the words and figures following to wit: "The omission in the transcript of a certain entry on the minutes of the court below which omission is shown by the agreement and admission of counsel as shown by the record"

The reason of which omission and error aforesaid the said counsel now here moved the court to award a writ of certiorari to be directed to the judges of the Circuit Court of the United States for the Eastern District of Louisiana commanding them that searching the records and proceedings of said court in this cause they shall certify to this court under the

seal of the said Circuit court whatever whatever omissions and errors shall be found On consideration whereof, it is now here ordered and decreed by this court that a writ of certiorari be and the same is hereby awarded to be issued forthwith and to be directed to the judges of the said Circuit court commanding them that searching the records and proceedings aforesaid they forthwith certify to this court under the seal of the said Circuit court whatever omissions and errors shall be found in this cause and return the same with the said writ of certiorari forthwith to this court.

Per Mr Justice McLean.

William B Atwater adm^r of Nehemiah Carrington
vs
The Brig Wm B. Platt, Leonard B. Platt, claimant
} Appl

8

The argument of this cause was continued by Mr. Sprague of counsel for the appellee and concluded by Mr Rane of counsel for the appellant

John C. Wilson, one of the Ocean Mutual Insurance Company Ltd. Appts.

vs.

10 The Steamer Palmetto Ltd. (and)

Henry A. Barling Ltd. one of the Ocean Mutual Insurance Co Ltd. Appts.

11. vs.

The Steamer Palmetto Ltd.

The argument of these causes was commenced by Mr. Mayer of counsel for the appellants.

The Baltimore & Southern Postal Company Appts.

13. vs.

Henry A. Barling et al.

The argument of this cause was commenced by Mr. Mayer of counsel for the appellants.

Proclamation being made the court is adjourned until tomorrow morning at eleven o'clock.

Tuesday December 11th 1838.

Pursuant to adjournment the court met this morning at the capitol.

Present

The Honorable John McLean.
James M. Wayne
John Catron
Peter V. Daniel. Associate
Samuel Nelson Justices
Robert C. Grier
Benj. R. Curtis
John A. Campbell.

Noah D. Hoover. Esqre. Marshal
William Thomas Carroll. Clerk.

Proclamation being made the court is opened.

John Rigney. plff in Err. In error to the
vs. Circuit Court of the
Sally B. Miller. United States for the
District of Columbia
holden in and for the county of Washington.

No Counsel for the defendant in error having filed and read in open court the following certificate, to wit:

"District of Columbia. County of Washington

to wit: I, John A. Smith, clerk of the Circuit Court of the District of Columbia for the County of Washington, do hereby certify that in a certain cause pending in said Circuit Court in which Sally H. Miller was plaintiff and John Rupley defendant, at October term eighteen hundred and fifty, to wit: on the 6th day of December, 1850, a verdict and judgment was rendered for the said plaintiff: that said defendant filed his appeal bond and thereupon a writ of error was issued to carry said cause to the Supreme Court of the United States returnable to the next term thereof: and I further certify that said writ of error is still pending and all proceedings thereby suspended in the said Circuit Court.

In testimony whereof I have hereunto subscribed my name and affixed the seal of said Circuit Court this 7th day of December, 1852.

Seal.

John A. Smith Clk."

and having stated that the plaintiff in error had otherwise failed to file the

record of said cause in this court or in any way to prosecute said writ of error now here moved the court in pursuance of the 63d rule of this court to have this writ of error docketed and dismissed. On consideration whereof it is now here ordered and adjudged by this court that this writ of error to the Circuit court of the United States for the District of Columbia holden in and for the county of Washington be and the same is hereby docketed and dismissed with costs and that this cause be and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity to law and justice the said writ of error notwithstanding.

per Mr Justice McLean.

114. Deborah Brand et al. vs. Samuel W. Turner's Exrs. Mr Bouligny of counsel for pltffs in error moved the court for leave to the clerk to issue a writ of procedendo in this cause so soon as one

case be prepared for consideration whereupon it is now here ordered by the court that the cause proceed for be and the same is hereby passed.

John L. Wilson, et al. use of
vs. Ocean Mutual Insurance
Company, Appts.

10.

vs.

The Delaware Mutual Ins. Co.

(and

Henry A. Fearing Appt. use of
vs. Ocean Mutual Insurance
Company, Appts.

11.

vs.

The Delaware Mutual Ins. Co.

The Baltimore & Louisiana
Steam Towing Co. Appts.

12.

vs.

Henry A. Fearing Appt.

The argument of these causes was continued by the Hon. Henry A. Fearing for the appellants and by Wm. Wirt Atwater, Esq. for the appellees.

The Baltimore & Louisiana
Steam Towing Co. Appts.

13.

vs.

Henry A. Fearing Appt.

The argument of this cause was continued by the Hon. Henry A. Fearing for the appellants and by Wm. Wirt Atwater, Esq. for the appellees. —

Whereupon the court is adjourned until tomorrow morning at eleven o'clock.

Wednesday December 12. 1855.

Pursuant to adjournment the court met this morning at the Capitol.

Present

The Honorable John McLean
James M Wayne
John Catron
Peter V. Daniel
Samuel Nelson
Robert C. Grier
Benj R Curtis
John A Campbell.

Associate Justices

Donald Hoover Esquire Marshal.
William Thomas Carroll Clerk.

Proclamation being made the court is opened.

On motion first made to the court in this behalf by Mr Browning, it is ordered that Thompson Campbell, Esquire, of California, be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly. . .

On motion first made to the Court in this behalf by the Hon. B. Haney Jones, it is ordered that James Pennington, Esquire, of Iowa, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Baker & Nelson, trad. use of the Ocean Mutual Insurance Company Appts.
vs.
The Steamer Palmetto &c.
and
Harvey A. Barling, trad. use of the Ocean Mutual Insurance Company. Appts
vs.
The Steamer Palmetto &c.

The argument of these causes was concluded by Mr. Nelson of counsel for the appellants.

The Baltimore & Southern Packet Company Appts
vs.
Harvey A. Barling et al.

The argument of this cause was concluded by Mr Nelson of counsel for the appellees.

14. John Nelson & Joseph Steffin Esqrs. vs. Levin Pennington. The argument of this cause was commenced by Mr Laurence of counsel for the plaintiffs in error, continued by Messrs Bradley and Carlisle of counsel for the defendant in error and concluded by Mr Henry Winter Davis for the plaintiffs in error.

15. Benjamin L. Morgan vs. Joseph Steffin Esqr. On the motion of Mr Washburne of Alfred G Lawrence & al. counsel for the plaintiff in error, it is now here ordered by the Court that this cause be and the same is hereby postponed to the foot of the docket.

16. Isaac R. Smith owner &c. of the Sloop Valiant vs. The State of Maryland. This cause having been called for argument and no counsel appearing ready to proceed with the same it is thereupon now here ordered by the Court that this cause be

and the same is hereby postponed to the
foot of the docket under the 35th rule
of Court.

William H. Ronald, Esq. on the application of
vs. Stephen E. Ross and others, and
Francis de Rouge. Summons by the
Sheriff of Summit.
for the plaintiff in error and continued
by consent of counsel for the defendant
in error.

Proclamation being made,
the Court is adjourned until tomorrow
morning at Eleven o'clock.

Thursday December 13 1833

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable John McLean
James M. Wayne
John Catron
Peter V. Daniel
Samuel Nelson
Robert C. Grier
Benj.a R. Curtis
John A. Campbell
} Associate Justices.

Donald Hoover Esquire Marshal.
William Thomas Carroll, Clerk.

Proclamation having made, the Court is opened.

Isaac R. Smith, owner of the Sloop Roland Plff in Er
vs
The State of Maryland
} No. On motion of Mr Latrobe of counsel for the plaintiff in error and with the assent of Mr Campbell, of counsel for the defendant in error. It is now here ordered by the Court that this cause be set down for argument immediately after the argument in No. 15 is finished.

William H. Ross et al. The argument of
vs } counsel for the plaintiff in error was con-
Thomas McGuire cluded by Mr Hughes
of counsel for the
defendant in error, and concluded by Mr
Hale of counsel for the plaintiff in error.

No. 81 Isaac N. Smith, owner, &c. The argument of
vs } Joseph Wood. for the Court was
commenced by Mr
The State of Maryland Talbot, of counsel
for the plaintiff
in error, continued by Mr. W. McCulloch
of counsel for the defendant in error
and concluded by Mr Talbot for the
plaintiff in error.

No. 131 John O'Hara. for the Opinion of the
vs } Court
Walter R. Miller reversing the
decree of the
Circuit Court for the District in
error. It is therefore ordered by the Court
that the said decree be and the same is hereby
reversed for the costs in favor of

mandate in this cause so soon as it can be prepared.

Proclamation being made the Court is adjourned until Tomorrow morning at Eleven Oclock.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

Hon. Ker Boyle, Chief Justice.

James M. Hagner

John Cochran

Peter V. Daniel, Associate

Samuel Miller, Justices

Robert B. Lowe,

Henry K Southard

John A Campbell,

Noah Ohl Hoover, Esquire, Marshal,

William Thos. Carroll, Clerk.

Proclamation being made the Court is opened.

On motion that rule to show cause in this behalf by the Petitioner, it is ordered that George Robertson, Esquire, of Kentucky, be admitted to practice as an attorney and counsellor of this court, and he was duly sworn accordingly.

Friday. December 14th 1833 Continued.

The State of Alabama } Mr Phillips of
G. W } Counsel for the
The State of Georgia complainant having
filed and read in
open Court the following motion, to wit:

"The complainant on this day being the 14th December, 1833, produces two notices, one accepted by Kenneth W Johnson, Governor of the State of Georgia, the other accepted by Wm R. McLaws Attorney General of the State of Georgia, by which notices it appears that said persons were notified that the complainant in this cause would, on this day move this Court for process to issue against the State of Georgia on the Bill above recited.

The complainant having now proved the acceptance of service by the Governor and Attorney General aforesaid moves under the 10th rule of the court that process do issue against the said State of Georgia requiring the said State to answer the Bill of complaint. B. Phillips

Sol. State Alabama".

Thereupon moved the court for process. On

consideration whereof it is now here ordered by the Court that process as prayed for in this cause be, and the same is hereby awarded.

19. David Starke, Plaintiff. vs. Hakaru Coopers admr. This argument of this cause was commenced by Mr Bayard of counsel for the plaintiff in error, continued by Mr Chilton of counsel for the defendant in error, and concluded by Mr Bayard for the plaintiff in error.

20. Samuel Verdier, Plaintiff. vs. Isaac Coleman. This cause was argued by Mr Gillet of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until Monday morning at eleven o'clock.

Monday. December 17. 1838.

Pursuant to adjournment the court met this morning at the Capitol.

Present

The Honorable John McLean,
James M. Wayne
John Catron
Peter V. Daniel } Associate
Samuel Nelson } Justices
Robert C. Grier
Benj^n R. Curtis
John A. Campbell

Daniel W. Hoover, Esquire. Marshal.
William Thomas Carroll. Clerk.

Proclamation being made the court is opened.

On motion first made to the court in this behalf by Mr Seward, it is ordered that Charles V. Bellinghurst, Esquire, of Wisconsin, be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

On motion first made to the court in this behalf by Mr Attorney General Cushing, it is ordered that Paul Holland Esqr. of Massachusetts, be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

On motion first made to the court in this behalf by Mr Benjamin, it is ordered that Garret Morris Esqr. of New York, be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

On motion first made to the court in this behalf by Mr Bradley, it is ordered that Alexander H Buel Esqr. of Michigan, be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

William F. Hoxie et al. vs. Argument of
21 & further hearing of this cause was
further continued commenced by Mr.
Phillips of counsel.

Monday December 17th 1855 continued

for the plaintiff in error continued by Mr Bradley of counsel for the defendant in error, and concluded by Mr Phillips for the defendant in error. –

Mr Justice Campbell did not sit in this cause. –

Jacob Hoffell, petitioner. The argument of
29 on) this cause was
The Board of St Louis commenced by Mr
Public Schools. Laurence of counsel
for the plaintiff
in error. –

Proclamation being made the
court is adjourned until tomorrow morn-
ing at eleven o'clock.

Pursuant to adjournment the court met this morning at the capitol.

Present

The Honorable John McLean
James M. Wayne
John Catron
Peter V. Daniel } Associate
Samuel Nelson } Justices.
Robert C. Grier
Benja R. Curtis
John A Campbell

Denal A. Hoover. Esquire. Marshal,
William Thomas Carroll. Clerk.

Proclamation being made the court is opened.

John C. Wilson. & al. use of the Ocean Mutual Insurance company of Baltimore,
10. vs. } Appellants
The Steamer Palmetto her tackle. apparel and furniture. The Baltimore & Eastern Packet Company, owners and claimants.—

Appeal from the Circuit Court of the United States for the District of Maryland.

Tuesday December 15. 1863 continued

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Maryland and was argued by counsel. on consideration whereof, it is now here ordered adjudged and decreed by this court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

By a divided court.

Henry A. Barling. John McKee and William R. Kibby under the firm of Barling. Kibby & Company use of the Ocean Mutual Insurance Company of Baltimore. Appellants

vs

The Steamer Palmetto. her tackle apparel and furniture. The Baltimore & Southern Packet Company owners and claimants.

Appeal from the Circuit Court of the United States for the district of Maryland.

This cause came on to be

heard on the transcript of the record from the Circuit Court of the United States for the district of Maryland and was argued by counsel. On consideration whereof it is now here ordered adjudged and decreed by this court that the decree of the said Circuit court in this cause be and the same is hereby affirmed with costs.

By a divided court.

The Baltimore & Susquehanna Rail Road Company appellants vs. Henry A Fearson. W. Thomas R. Gilbert & John McKee under the firm of Fearson Gilbert & Company.

13. Appeal from the Circuit Court of the United States for the district of Maryland.

This cause came on to be heard on the transcript of the record from the circuit court of the United States for the district of Maryland and was argued by counsel. On consideration whereof it is now here ordered, adjudged and decreed by this court that the decree

Thursday 19 December 15. 1833. continued.

of the said circuit court in this cause be and the same is hereby affirmed with costs.

V Decr a divided Court

William H. Jones James H Wells. John Cohain. Jonas A Coastaline. Philip C Paul. William R. Roberts & James W. Wayne pebb in Err.

vs

Thomas W. League

In error to the District Court of the United States for the district of Texas.

18

This cause came on to be heard on the transcript of the record from the district court of the United States for the district of Texas and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this court that the judgment of the said district court in this cause be and the same is hereby reversed for the want of jurisdiction in that court and that this cause be and the same is hereby remanded to the said district court to be proceeded

ror, in conformity to the opinion of this court.

per Mr Justice McLean.

Ex parte. In the matter On an application of of George Buckley petitioner. Mr Lawrence for an

vs. extension of time

Christian Herald. in which to file the return of this court to the writ of error in this cause.

On consideration of the motion made by Mr Lawrence on a prior day of the present term, to wit, on Friday, the 7th instant, and of the following certificate to wit:

"Circuit Court of the United States. Fifth Circuit and Eastern District of Louisiana. Clerk's Office

Christian Herald, }
vs. } 2392.
George Buckley }

I certify that on this twenty first day of November A.D. 1835. a writ of error, to the December term A.D. 1835 of the Supreme Court of the United States was duly

applied for, allowed and filed by the defendant in the above entitled cause George Buckley, from the judgment rendered against him therein, in the said Circuit Court on the 16th day of November 1853.

And I further certify that I cannot consistently with the other duties of my office make out and have ready the transcript of the record and proceedings in the said cause in time for the same to reach Washington City at the opening of the term of the Supreme Court to which it is returnable, nor within less than ninety days thereafter.

Attest. New Orleans 21 Nov. 1853.

P. M. Burby, Clerk."

It is now here considered and ordered by this court that the extension applied for be, and the same is hereby denied and that the said motion be and the same is hereby overruled

per Mr. Justice McLean.

Ex parte. In the matter of Bathrop L. Elmages. plff in Er. vs Christian Konald. On an affidavit by Mr Lawrence for an extension of time under the 63d rule of this court to file the return to the writ of error in this cause.

On motion made by Mr Lawrence on a prior day of the present term. to wit. on Friday the 7th instant, and of the following certificate. to wit: "Circuit Court of the United States. Fifth circuit and Eastern District of Louisiana.

Clerks office.

Christian Konald,

vs

Bathrop L. Elmages

I certify that on this twenty first day of November A.D. 1835. a writ of error to the December term. A.D. 1835 of the Supreme Court of the United States was duly applied for. allowed and filed by the defendant in the above entitled cause. Bathrop L Elmages, from the judgment rendered against him therein. in the said Circuit Court on the 16th day of November 1835.

And it further ordered that Beaumont, consistently with the other duties of my office, make out and have ready the transcript of the record and proceedings in the said cause in time for the same to reach Washington City at the opening of the Term of the Supreme Court to which it is returnable, not within less than ninety days thereafter.

Attest. New Orleans 1st Dec. 1835.
(S) W. Hurley Clerk".

It is now here considered and ordered by this Court that the intervenor appellee pay the costs and the same is hereby decreed, and that the said motion, fee and the same is hereby overruled.

Per Mr Justice McKeon.

James Mc Rea et al. On an application
vs } appl[illegible] for a re-argument.
Solm. Sanderson. Def.

On consideration of the motion made in this cause by Mr Rost on a former day of the present term, to wit: on Friday

the 9th instant and of arguments of counsel thereupon had as well in opposition to as in support thereof. It is now here considered and ordered by this court that said motion be and the same is hereby overruled.

Jacob Wyckoff Junr. vs. The Board of Trustees of Public Schools.

The argument of this cause was opened by Jno. Jones for the plaintiff in error and by Jno. Hager of counsel for the defendants in error.

Proclamation being made the court is adjourned until tomorrow morning at nine o'clock.

Wednesday December 19. 1838.

Pursuant to adjournment the court met this morning at the capitol.

Present.

The Honorable John McLean
James M. Wayne
John Catron
Peter V. Daniel Associate
Samuel Nelson Justices
Robert C. Grier
Benjn. R. Curtis
John A. Campbell

Joseph Nourse Esquire Marshal.
William Thomas Carroll Clerk.

Proclamation being made the court is opened.

John Holroyd Error to the Circuit
vs Supreme court of the United States
Levi Humphreys for the District of Columbia holden in and for the County of Washington.

This cause came on to be heard on the transcript of the record from the circuit court of the United States for the District of Columbia

holden in and for the county of Wash-
ington and was argued by counsel. On
consideration whereof it is now here
ordered and adjudged by this court that
the judgment of the said Circuit Court
in this cause be and the same is hereby
reversed with costs and that this cause
be and the same is hereby remanded to
the said Circuit court with directions
to award a venire facias de novo.

(per Mr Justice Lamar.

12. Thomas Whyte, petitioner. The argument of
this cause was con-
cluded by Mr Bonyge
for the defendants in
error and by Mr Ran-
dolph Tobias of counsel for the plaintiff
in error.

Proclamation being made the
court is adjourned until tomorrow morning
at eleven o'clock. ——

Thursday 4th December 20 1834.

Pursuant to adjournment the court met this morning at the Capitol.

Present

The Honorable Colin McRae
James M. Wayne
John Catron
Peter V. Daniel } Associate
Samuel Nelson } Justices
Robert B. Taney
Benjn R. Curtis
John A. Campbell

Jonah D. Hoover Esquire Marshal.
William Thomas Carroll Clerk.

Proclamation being made the court is opened.

On motion first made to the court in this behalf by Mr Lawrence it is ordered that Thomas R. Evans Esquire of Pennsylvania be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

On motion that order to show cause in this behalf by the Plaintiff it is ordered that Silas Hopkins, Esquire, be allowed to practice as an Attorney and Counsellor of this Court and be sworn accordingly. —

The United States, plaintiff. In Attorney
vs. Error to Bond. county Bowling
Isaiah Hopkins, Defendant. Green the court
has leave, to file
their plea of nul tiel record, and the same is filed accordingly. The plaintiff in error by his Attorney says that there is no such record as that whereof the said defendant in error hath above complained against him, and this he prays may be inquired of by the Court. And the said defendant in error likewise.

Daniel Mitchell, Plaintiff. The argument of
vs. this cause was (on
The Board of Justices of Pulaski County. motion of counsel)
for the plaintiff in error.

Thursday December 20th 1813 continued.

Robert Mc. Mc Kready etal. claimants of Schr. Mary Ann &c. Appts.
vs.
Goldsmith Wells etal.

This cause was submitted to the court on the record and printed arguments by Mr Swan of counsel for the appellants and by Mr Key of counsel for the appellees.

23.

The United States, petitioner
vs.
Mackey & Roger Jones

This cause was submitted to the court on a printed argument by Mr Attorney General Key in behalf of the plaintiff in error and argued by Messrs Jno. L. Jones and Carlisle of counsel for the defendant in error.

24.

The United States use of Thos. Mackey etal. petitioners
vs.
Richard Jno. Cox.

The argument of this cause was commenced by Mr Chilton of counsel for the plaintiffs in error and continued by Mr Carlisle for the defendant in error.

25.

Friday December 21. 1855.

Pursuant to adjournment the court met this morning at the capitol.

Present

The Honorable John McLean
James M. Wayne
John Catron
Peter V. Daniel
Samuel Nelson
Robert C. Grier
Benjn. R. Curtis
John A. Campbell

Associate Justices

Donah. H. Hoover. Esquire. marshal.
William Thomas Carroll. Clerk.

Proclamation being made this court is opened.

On motion first made to the court in this behalf by Mr. McCulloh, it is ordered that Albert H. Campbell. Esquire of New York. be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

On motion Leave was granted to the Court to this behalf by Mr. H. Marshall, it is ordered that George D. Rowe, Esquire, of Indiana, and Alexander B. Underwood, Esquire, of Kentucky, be admitted to practice as Attorneys and Counsellors of this Court, and they were severally sworn accordingly.

On motion Leave was granted to the Court to this behalf by Mr. H. Marshall, it is ordered that George D. Rowe, Esquire, of Indiana, and Alexander B. Underwood, Esquire, of Kentucky, be admitted to practice as Attorneys and Counsellors of this Court, and they were severally sworn accordingly.

(Samuel Vardiman, plaintiff in error, vs. the Bank of Alabama.) In error to the Supreme Court of the State of Alabama.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Indiana, and was argued by counsel. On consideration whereof it is ordered by this Court that this

Friday, December 21, 1838, continued.

is not such a final decree as can be re-examined in this court under the 25th section of the judiciary act of the 24th September, 1789. It is therefore now here ordered and adjudged by this court that this cause be and the same is hereby dismissed, and that this cause be and the same is hereby remanded to the said Superior Court in order that the same may be proceeded in according to law & justice.

(per Mr. Justice Campbell.

Isaac H. Smith, owner of the sloop Volant vs. The State of Maryland

No. 3 December Term, 1838.

In error to the Circuit Court of the Second Judicial Circuit of the State of Maryland in and for Anne Arundel County.

This cause came on to be heard on the transcript of the record from the Circuit Court of the Second Judicial Circuit of the State of Maryland, in and for Anne Arundel County, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this

court that the judgment of the said circuit court in this cause be and the same is hereby affirmed with costs.

Per Mr. Justice Curtis.

Peter L. Graham, plaintiff in error, vs. the same, to the
vs. Circuit court of the
Alexander H. Bangs. United States for the district of Illinois.—

This cause came on to be heard on the transcript of the record from the circuit court of the United States for the district of Illinois and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this court that the judgment of the said circuit court in this cause be, and the same is hereby reversed with costs and that this cause be, and the same is hereby remanded to the said circuit court with directions to award a venire facias de novo.

Per Mr. Justice Bradley.

Thursday December 21. 1843 continued.

Nehemiah Kennington Libt. } Appeal from the
vs } Appt circuit court of the
Mrs Mary Ann B. Pratt } United States for the
Jerusard Vs. Pratt. Claimt } district of Maine.

This cause came on to be heard on the transcript of the record from the circuit court of the United States for the district of Maine and was argued by counsel. On consideration whereof it is now here ordered adjudged and decreed by this court that the decree of the said circuit court in this cause be and the same is hereby affirmed with costs.

Per Mr Justice Nelson.

Ex parte: In the matter of William Wells } The argument of this motion was commenced

by Mr B. L. Jones in support thereof, continued by Mr Attorney General Cushing in opposition thereto and concluded by Mr Jones

The United States use of Barnes Mosher et al vs Richard L. Love

The argument of this cause was continued, by the Counsels of counsel for the defendant in error.

Proclamation being made, the Court is adjourned until Monday morning at eleven o'clock.

Monday, December 21, 1863 continued

Nebraska, Kearney Feb^y 3^d, 1863

Hon. King, Asst. Atty Genl

Sir, Appl^t

Sir, I have the honor to transmit herewith the record in the case of Samuel Hall, Claimt

Appeal from the Circuit Court of the United States for the District of Maine.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the district of Maine and was argued by counsel. On consideration whereof it is now here ordered adjudged and decreed by this court that the decree of the said Circuit court in this cause be, and the same is hereby affirmed with costs.

Per Mr Justice Nelson.

Ex parte: In the matter of William Wells

The argument of this motion was commenced by Mr L. L. Jones in support thereof, continued by Mr. Attorney General Cushing in opposition thereto and concluded by Mr Jones

The United States, use } The argument of
of James Hoopes } this cause was
vs } postponed, continued, by the
Richard Loose. } Court. Counsel
for the defendant
in error.

Proclamation being made the
Court is adjourned until Monday morn-
ing at eleven o'clock.

8.132 Monday December 24. 1825.

Pursuant to adjournment the court met this morning at the Capitol.

Present

The Honorable John McLean
James M. Wayne
John Catron
Samuel Nelson
Benjn R. Curtis
John A Campbell

Associate Justices.

Donah. M Moore. Esquire. Marshal.
William Thomas Carroll. Clerk.

Proclamation having made the court is opened.

On motion first made to the court in this behalf by Mr Whittendon it is ordered that Barnes H. Dorsett. Esquire. of Wisconsin. be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

The United States use of James Mackey et al. this cause was
vs. by Appeal in Er continued by Mr
Richard S. Coxe. Bradley of counsel

for the defendant in error and concluded by Mr Schuyler of counsel for the plaintiffs in error.

Richard R. Vaughan et al. } This cause was
vs. } Appeals argued by Mr Lord
John M. Birkhard. } Leader of counsel
for the appellee
and submitted on a printed argument
by Mr Peters on behalf of the appellants

26.

Louis Curtis et al. } This cause was
vs. } Appeals argued by Mr Taylor
Thomas Hutchinson, wife of counsel for the
of Victor Peck et al. } plaintiffs in error
and by Mr Benjamin,
of counsel for the defendants in error.

27.

Thereupon there being no further the
court is adjourned until Wednesday
next at eleven o'clock.

Wednesday December 26 1838

Pursuant to adjournment the court met this morning at the Capitol.

Present

The Honorable John McLean
James M. Wayne
John Catron
Peter V. Daniel
Samuel Nelson
Robert C. Grier
Benjn R. Curtis
John A. Campbell
} Associate Justices

Danl. W. Coover Esquire. Marshal.
William Thomas Carroll. Clerk.

Proclamation being made, the court is opened

Ex parte, Thos. Wm. Darby, claimt &c. The argument of
vs. appts this cause was
John B. Montgomery commenced by Mr
Coxe of counsel
for the appellants and concluded by Mr
Key of counsel for the appellee.

Proclamation being made the court is adjourned until tomorrow morning at eleven o'clock.

Pursuant to adjournment the court met this morning at the capitol

Present

The Honorable John McLean
John Catron
Peter V. Daniel, Associate
Samuel Nelson, Justices
Robert C. Grier
Benjn. R. Curtis
John A. Campbell.

Jonah D. Hoover Esqr. Marshal
William Thomas Carroll. Clerk.

Proclamation being made the court is opened.

On motion first made to the court in this behalf by Mr Gillet. It is ordered that John A Shackelford Esq. of Missouri be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

William D. Price, John H. Price, Alfred Jefferson and Ann Jefferson his wife.

vs

The President, Directors and Company of the Farmers Bank of Virginia, William F. Johnson, and Julia L. Thompson his wife and Obadiah Gathright.

In error to the Supreme Court of the State of Ohio.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Ohio and was argued by counsel. On consideration whereof it is now here ordered, adjudged and decreed by this court that the decree of the said Supreme Court in this cause be and the same is hereby affirmed with costs.

Per a divided court.

101. William H. Risingford vs John Jorgenson

Appl from the District Court of the United States for the District of Wisconsin.

Mr Field of counsel for the

appellee having filed and read in open court the following certificate to wit

"United States of America }
District of Wisconsin } ss

I, Benjamin F. Miller, clerk of the District Court of the United States of America for the district of Wisconsin, do hereby certify that in a certain suit in Equity pending in said court in favor of William S. Burnapford, complainant against John Ingerson, defendant, a decree was entered on the third day of January A.D. 1855 sustaining the demurrer of the defendant and dismissing the complainants bill of complaint. That on the fourth day of January 1855 the said complainant prayed the court for an appeal to the Supreme Court of the United States which was allowed and appeal bond with surety filed. That on the twentieth day of February 1855 the citation in the said John Ingerson appellee was duly served on Arthur McArthur Esquire the solicitor of record for the said appellee.

In testimony whereof I have

witness my hand and duly affixed the seal of said court at Milwaukee in said District this eighth day of December in the year of our Lord one thousand eight hundred and fifty five and of our independence the eighty ninth.

(Seal)

"B. F. Miller. Clerk".

and having stated that the appellant had altogether failed to file the record of said cause in this court or in any way to prosecute said appeal now here moved the court, in pursuance of the 65th rule of this court, to have this appeal docketed and dismissed. On consideration whereof it is now here ordered, adjudged and decreed by this court that this appeal from the District court of the United States for the district of Wisconsin be and the same is hereby docketed and dismissed with costs and that this cause be and the same is hereby remanded to the said district court for further proceedings to be had therein in

conformity to law and justice the said appeal notwithstanding.

per Mr. Justice McLean.

28. Decker Borrowdale Claimt: } The argument of
vs } by Appts this cause was
John Vs. Montgomery } continued by Mr
Kennedy of counsel for the appellees and concluded by Mr Nelson of counsel for the appellants.

29. Adam Ware. Petitioner } This cause was
vs } argued by Mr Binger
State of Missouri } of counsel for the plaintiff in error.

Proclamation being made the court is adjourned until tomorrow morning at seven o'clock.

Friday December 2d 1825

Pursuant to adjournment the court met this morning at the Capitol

Present

The Honorable John McLean
John Catron
Peter V. Daniel } Associate
Samuel Nelson } Justices
Robert C. Grier
Benj R Curtis
John A. Campbell

Donah D. Hoover Esquire Marshal.
William Thomas Carroll, Clerk.

Proclamation being made the court is opened.

Field and Lightner vs Phillips } This cause was argued by Mr Joseph Fenton Blair of counsel for the plaintiff in error and submitted on a printed argument by Mr Cutting of counsel for the plaintiff in error.

Alfred Davenport plff in Er.
(103)
Abraham Garrison

The argument of this cause was commenced by Mr N Sawyer of counsel for the plaintiff in error and continued by Mr Ewing of counsel for the defendant in error.

31

Proclamation being made the court is adjourned until Monday morning at Eleven o'clock.

Monday December 31. 1839.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable John McLean
John Catron
Peter V Daniel Associate
Samuel Nelson Justices
Robert C Grier
Benja R Curtis
John A. Campbell

Daniel Hoover, Esquire Marshal
William Thomas Barnes Clerk.

Proclamation being made the court is opened.

On motion first made to the court in this behalf by Mr Benjamin it is ordered that Sidney L Johnson, Esquire of Louisiana be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly. —

On motion first made to the court in this behalf by Mr Gilpin it is ordered that Franklin A Dick. Esqure, of Wisconsin be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

John B. Craighead's heirs et al. } Appls.
vs
Joseph E. Wilson et al. } Appls.

W. Bryan one of counsel for the appellees moved the Court for an extension of time for the argument of this cause under the 33rd rule of court. whereupon this court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

Alfred Iverson. Plff in Er.
vs
Abraham Garrison

The argument of this cause was continued by Mr Ewing of counsel for the defendant in error and concluded by Mr Baxter of counsel for the plaintiff in error.

Monday December 31 1833 continued.

32. Robert H Baxter et al. vs William Overman

The argument of Appts this cause was commenced by Mr Bryan of counsel for the appellants and continued by Mr Lawrence of counsel for the appellee.

Proclamation being made the court is adjourned until Wednesday morning at Eleven Oclock.

Pursuant to adjournment the court met this morning at the Capitol

Present

The Honorable John McLean
John Catron
Peter V. Daniel Associate
Samuel Nelson Justices
Robert C. Grier
Benjn. R. Curtis
John A. Campbell

Lenah D. Keeney, Esqr. Marshal.
William Thomas Carroll, Clerk

Proclamation being made the court is opened

On motion first made to the court in this behalf by Mr Kennedy of Ohio it is ordered that Young Seamon, Esqr. of Illinois, be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

1	David D. Bush. plff in Er vs James B. Person admr de bonis non of Malcom Cooper, deceased.	In error to the High Court of Errors and Appeals of the State of Mississippi.

This cause came on to be heard on the transcript of the record from the High Court of Errors and Appeals of the State of Mississippi and was argued by counsel. On consideration whereof it is now here ordered adjudged and decreed by this court that the decree of the said High Court of Errors and Appeals in this cause be and the same is hereby affirmed with cost.

Per Mr Justice Baldwin.

22	The United States plff in Er vs Wheatley & Roger Dens	In error to the Circuit court of the United States for the District of Columbia holden in and for the County of Washington.

This cause came on to be

record on the transcript of the record from the Circuit Court of the United States for the District of Columbia holden in and for the County of Washington and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed

for Mr Justice Story

Dissenting. Mr Justice Daniel. }
Mr Justice Catron. }

119. Isaac Hartshorn (in) Error vs. Hooper Ka. Day. } In error to the Circuit Court of the United States for the District of Illinois. —

Mr Webb of counsel for the defendant in error having moved the court on a prior day of the present term for leave to withdraw this record in order to have the same printed forthwith, and it appearing to the court that this record was filed and docketed at the instance of the defendant in error on

the 24th day of November last, and it also appearing that the plaintiff in error has filed the record and docketed the case on the 1st of December last within the period allowed him by the 6th rule of court, it is considered by the court that this cause was filed and docketed prematurely by the defendant in error and should be dismissed whereupon it is now here ordered by this court that this cause be stricken from the docket and that the record thereof be delivered to the defendant in error.

Per Mr. Lee. McLean.

44. John Craighead's heirs et al. vs. Joseph E. Wilson. } Appts of the motion made in this cause by Mr Benjamin on a prior day of the present term to wit on Monday the 31st ultimo, it is now here ordered by the court that six hours be allowed to the counsel on each side for the argument of this cause. —

32. Robert A Parkinson et al. vs. William Overman } Appts. The argument of this cause was continued by Mr Lawrence of counsel for the appellees and concluded by Mr Brugam of counsel for the appellants.

33. Edward Richards et al. vs. Sylvanus Kobus et al. } Appts. The argument of this cause was commenced by Mr Dick of counsel for the appellants and continued by Messrs Kendall and Key of counsel for the appellees.

On motion ordered by the court that the court is adjourned until tomorrow morning at eleven o'clock. —

Thursday. January 3d. 1856.

Pursuant to adjournment the court met this morning at the Capitol

Present

The Honorable John McLean.
John Catron
Peter V. Daniel Associate
Samuel Nelson Justices
Robert C. Grier
Benja R. Curtis
John A. Campbell

Jonah D. Hoover. Esquire, Marshal.
William Thomas Carroll. Clerk.

Proclamation being made the court is opened.

On motion first made to the court in this behalf by Mr. Clayton. It is ordered that William H. Rogers. Esquire. of Delaware. be admitted to practice as an attorney and counsellor of this court. and he was sworn accordingly

Lewis Curtis, Benjamin Curtis, John L. Hubbard, James D. B. Curtis of Kenny & Boorman

vs

Madame Theresa Pelichpaw wife of Victor Peche, and Mandeville Marigny late marshal U. S. for the Eastern District of Louisiana.

In error to the Circuit Court of the United States for the Eastern District of Louisiana.

2.7

This cause came on to be heard on the transcript of the record from the circuit court of the United States for the Eastern District of Louisiana and was argued by counsel and it appearing to the court that the transcript filed in this cause is not such a one as will satisfy the 11th & 31st rules of this court. and also that the judgment of the said circuit court in this cause is not such a one as can be re-examined by this court It is therefore ordered and adjudged by this court that this cause be and the same is hereby dismissed with costs.

Js. Story Dis. Marshall.

William J. McKean and John Mc. Kirby, executors of Henry R. W. Hill, deceased. The said Henry R. W. Hill and William J. McKean being surviving partners of the firm of H. R. W. Hill & Co. Appellants

2. vs.

James L. Mark, administrator of Joseph Mark and James L. Mark and Joseph L. Mark. —

Appeal from the Circuit Court of the United States for the southern district of Mississippi.

This cause came on to be heard on the transcript of the record from the circuit court of the United States for the southern district of Mississippi and was argued by counsel on consideration whereof it is now here ordered adjudged and decreed by this court that the decree of the said Circuit court in this cause be and the same is hereby affirmed with costs.

Per Mr. Jus. Catron.

William B. Hunter, Wm. Eastmond and Abbey Parker. Appeal from the Supreme Court of the State of Alabama.

21 vs.

Charles Lewmestine.

This cause came on to be heard, on the transcript of the record from the Supreme Court of the State of Alabama and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this court that the judgment of the said Supreme Court in this cause be and the same is hereby reversed with costs and that this cause be and the same is hereby remanded to the said Supreme Court in order that further proceedings may be had therein in conformity to the opinion of this Court

Per Mr Justice Wayne.

Mr. Justice Campbell did not sit in this cause.

Thursday January 5th 1826 continued

Sebastian Willat Pal. } A stipulation by
vs. } pltffs in err counsel to continue
Robt. H. & Sandford. this cause to the
next term having
been filed, it is now here ordered by the
court that this cause be and the same
is hereby continued to the next term of
this court. –

Edward & Richards Pal. } The argument of
vs. } Appts. this cause was
Cyprian Holmes et al. concluded by Mr
Bibb of counsel
for the appellants. –

William Jones et al. } The argument of this
vs. } pltffs in err. cause was commenced
William H. Johnston. by Mr Seaman of
counsel for the plain-
tiffs in error. –

Proclamation being made the
court is adjourned until tomorrow morning
at eleven o'clock. –

Pursuant to adjournment the court met this morning at the capitol.

Present

The Honorable John McLean
John Catron
Peter V. Daniel } Associate
Jarvis S. Wilson } Justices.
Robert B. Grier
Benjn R. Curtis
John A Campbell

Lewis W. Weaver Esqr. Marshal.
William Thomas Carroll, Clerk.

Proclamation being made the court is opened.

William B Lawrence Esqr. late Circuit Judge of circuit
vs } Appeal from the appellee moves
John Longworth } the court for leave to have the mandate in this cause issued forthwith on consideration whereof it is now here ordered by the court that said motion be and the same is hereby overruled. ——

James M. Cooper
vs
Francis M. Roberts

In Vacation of Court. Mr. Venable for the plaintiff in error moved the Court for an extension of time for the argument of this cause under Rule 53rd Rule of Court whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider. —

No. 141

James W. Converse, admin of Richd. Brady Jr.
vs
Wm. Burgess & Jno.
} petition.

On the motion of Mr Attorney General seeking of Counsel for the plaintiff in error it is now here ordered by the Court that this cause be and the same is hereby set down for argument on the first Monday of next month.

No. 142.

William Stairs et al
vs
Charles H. Pleasles
} petition.

On the motion of Mr Attorney General seeking of counsel for the defendant, it is now here ordered by the Court that this cause be and the same is hereby

set down for argument on the first Monday of next month

33 Steven V. R. Allerton vs Jeffries Sherman & Mc Veagh

On the motion of Mr. Attorney General Buchanan of counsel for the plaintiff in error it is now here ordered by the Court that the argument of this cause be and the same is hereby postponed for the present. —

34 William Jones et al. vs Phillip E. William & Johnston

The argument of this cause was continued by Mr Sampson for the plaintiffs in error, and by Phillips Holmes and Sampson of counsel for the defendant in error.

Proclamation being made the Court is adjourned until Monday morning at eleven o'clock. —

Pursuant to adjournment the court met this morning at the Capitol.

Present

The Honorable John McLean
James M. Wayne
Peter Walker
R. B. V. Daniel
Samuel Nelson
Robert C. Grier
Benjn. R. Curtis
John A. Campbell
} Associate Justices.

Donald M. Mason Esqr. Marshal.
William Thomas Carroll, Clerk.

Proclamation being made the court is opened.

Lot Wright. Plaintiff in error
vs
Nehemiah H. Mattison

In error to the Circuit Court of the United States for the District of Illinois.

This cause came on to be heard on the transcript of the record from the circuit court of the United States for the district of Illinois and was argued by counsel. On consideration whereof it is

now here ordered and adjudged by this Court that the judgment of the said Circuit court in this cause be and the same is hereby reversed with costs, and that this cause be and the same is hereby remanded to the said Circuit court with directions to award a venire facias de novo.

(per Mr Dis Daniel.

James M. Crockett. &c. vs Jeffn. Ex. Enoch L. Roberts.

On consideration of the motion made by Mr Vinton in this cause last Friday the 4th instant, it is now here ordered by the court that an additional hour be allowed the counsel on each side on the argument of this cause under the 33d rule of court.

William Jones et al. vs Jeffn. Ex. William L. Johnston.

The argument of this cause was continued by Mr Lawrence of counsel for the defendant in error and concluded by Mr Conway Robinson of counsel for the plaintiffs in error.

Monday January 7th 1856 continued.

Josiah D Brickett et al. vs. Thos Pollock et al. and John H Bryant et al. vs. Same

The argument of this cause was commenced by Mr Bartenden of counsel for the plaintiffs in error.

Proclamation being made the court is adjourned until tomorrow morning at eleven o'clock. —

Pursuant to adjournment the court met this morning at the Capitol.

Present

The Honorable John McLean
James M. Wayne
John Catron
Peter V. Daniel Associate
Samuel Nelson Justices.
Robert C. Grier
Benjn. R. Curtis
John A. Campbell

Danl. (C.) Hoover Esqr. Marshal.
William Thomas Carroll, Clk.

Proclamation being made the court is opened.

On motion first made to the court in this behalf by Mr Hall it is ordered that Alexander Blanke Esqr. of the city of New York be admitted to practice as an attorney and counsellor of this court and he was accordingly

Albert H. Guild, and Jack M. Lightner, partners in trade under the firm of Guild & Lightner, and Henry Hough and Robert G. Franna, partners in trade under the style and firm of Henry Hough & Company.

30 vs. Pltffs in Er.

Joseph Trentini.

On error to the District Court of the United States for the northern district of California.—

This cause came on to be heard on the transcript of the record from the district court of the United States for the northern district of California and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this court that the judgment of the said district court in this cause be and the same is hereby affirmed with costs.

Per Mr Justice Sutherland

Robert McCready et al claimants of the Steamboat Bay State her tackle &c. Appts

vs

Goldsmith Wells. Real Libellants &c.

Appeal from the Circuit Court of the United States for the Southern district of New York.

23.

This cause came on to be heard on the transcript of the record from the Circuit court of the United States for the Southern district of New York and was argued by Counsel On consideration whereof it is now here ordered, adjudged and decreed by this court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar decrees bear in the courts of the State of New York.

Per Mr. Justice Nelson.

Tuesday January 8th 1856 continued.

Elizabeth F. Barnard, Mary A. Barnard, Louisa Barnard, William D. Barnard, and Thomas Barnard, infant children and heirs of Thomas Barnard, deceased, by William Cannon their guardian and next friend Complainants and Appellants.

vs

Mary W. W. Ashley Executrix and William D. Ashley and Frances A. Ashley and Henry D. Ashley an infant by Mary W. W. Ashley his guardian, heirs &c of Chester Ashley, deceased and Silas Craig's representatives

Appeal from the Circuit Court of the United States for the eastern district of Arkansas.

This cause came on to be heard on the transcript of the record from the Circuit court of the United States for the eastern district of Arkansas and was argued by counsel. On consideration whereof it is now here ordered, adjudged and decreed by this court that the decree of the said Circuit court in this cause be and the same is hereby affirmed with costs. And it is further ordered adjudged and decreed

by this court that this cause be and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein as regards the profits and improvements

(per Mr. Justice Catron.

Josiah C. Leffingwell et al vs Pltffs in Er. | The argument of this cause was
36. John Kinzie Kinzie et al | continued by Mr Geyer of counsel for the defendant in error and concluded by Mr Whittemore of counsel for the plaintiffs in error? —

Edmund G. Gillet et al vs Appts. | The argument of this cause was com
37. Levi W. Hall et al | menced by Mr. Durant of counsel for the appellants —

Proclamation being made the court is adjourned until tomorrow morning at eleven o'clock. —

Wednesday January 9. 1836

Pursuant to adjournment the court met this morning at the Capitol.

Present

The Honorable John McLean
James M. Wayne
John Catron
Peter V. Daniel
Samuel Nelson
Robert C. Grier
Benja R. Curtis
John A. Campbell

Donald Mc. Rogers. Esquire Marshal.
William Thomas Carroll. Clerk.

Proclamation being made the Court is opened.

Edwin C. Litle et al. vs. } Appls.
Lew. W. Call et al.

The argument of this cause was continued by Mr Seward for the appellants and by Mr Rawen of Counsel for the appellees and concluded by Mr Seward for the appellants. —

Barnes No. 1 on Pros. Error.

38. (vs.)

Enoch. to. Roberts.

The argument of this Cause was commenced by Mr. Buel of counsel for the Plaintiffs in error.

Proclamation being made, the court is adjourned until tomorrow morning at eleven o'clock. —

Thursday January 10th 1836.

Pursuant to adjournment the court met this morning at the Capitol.

Present

The Honorable John McLean
James M Wayne
John Catron
Peter V. Daniel — Associate
Samuel Nelson — Justices
Robert C. Grier
Benjn R. Curtis
John A. Campbell

Josiah D Hoover. Esquire. Marshal.
William Thomas Carroll. Clerk.

Proclamation being made the court is opened.

On motion first made to the court in this behalf by Mr Dunn. it is ordered that Conrad Baker. Esquire. of Indiana. be admitted to practice as an attorney and Counsellor of this court and he was sworn accordingly. —

Alfred Davignac - Appellee. } In error to the
31. vs } Circuit Court of
Abraham Garrison } the United States
for the District
of Missouri.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the district of Missouri and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby reversed with costs and that this cause be and the same is hereby remanded to the said Circuit Court with directions to award a venire facias de novo.

per Mr Justice Nelson

Thursday January 10th 1856 continued

James M. Cooper printer. The argument of
vs
Enoch G. Roberts this cause was continued by Mr Buel of counsel for the plaintiff in error and by Mr Truman Smith of counsel for the defendant in error. –

Proclamation being made the court is adjourned until tomorrow morning at eleven o'clock. –

Pursuant to adjournment the court met this morning at the capital.

Present.

The Honorable John McLean
James M. Wayne
John Catron
Peter V. Daniel — Associate
Samuel Nelson — Justices
Robert C. Grier
Benjn R. Curtis
John A. Campbell

Donald Mc Leonen Esquire, Marshal
William Thomas Carroll, Clerk

Proclamation being made, the court is opened.

The United States ... Appts. } Appeal from the
vs. } District Court of the
Pearson B. Reading. } United States for
the northern district
of California.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the northern district of California and was

argued by counsel. On consideration whereof it is now here ordered, adjudged and decreed by this court that the decree of the said District Court in this cause be and the same is hereby affirmed. -

(per Mr Justice Wayne.

Dissenting. Mr Justice Daniel.

James M. Cooper
vs
Enoch G. Roberts.

38 Appellate

The argument of this cause was continued by Mr Smith, of counsel for the defendant in error and by Mr Vinton of counsel for the plaintiff in error.

Proclamation being made the court is adjourned until Monday morning at eleven o'clock. —

Pursuant to adjournment the court met this morning at the Capitol.

Present

The Honorable John McLean,
James M. Wayne
John Catron
Peter V. Daniel Associate
Samuel Nelson Justices
Robert C. Grier
Benjn. R. Curtis
John A. Campbell

Donald Dickson Esquire Marshal
William Thomas Carroll Clerk

Proclamation being made the court is open

On motion filed made to the court in this behalf by Mr. Vinton it is ordered that Evans Caldwell Esquire of Wisconsin be admitted to practice as an attorney and counsellor of this court and he was thereupon accordingly, ——

Monday January 11th 1836 continued.

The United States, use of James Keachey Jal. vs. Richard S. Cove. } In error to the circuit court of the United States for the District of Columbia holden in and for the county of Washington.

This cause came on to be heard on the transcript of the record from the circuit court of the United States for the District of Columbia holden in and for the county of Washington and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this court that the judgment of the said circuit court in this cause be and the same is hereby affirmed with costs.

Per Mr Justice McLean.

The Steamer Oregon. Roger A. Kerr. master & part owner } vs } Joseph & Thomas Rocca and, The Steamer Oregon. Roger A. Kerr master & part owner } vs } Robert Turner and William Swiford.

85

86

And C. C. Howard of counsel for the appellant having filed and read in open Court a suggestion of a diminution of the record in these cases in the words and figures following to wit: "That the deposition of Brown referred to at page 86 of the printed record and about page 208 in the manuscript record, being the answer of Abraham Farris to the thirteenth cross-interrogatory are also that the depositions of Brahrer are not contained in the records and are important papers"

By reason of which omissions and errors aforesaid the said counsel now here moved the Court to award a writ of certiorari to be directed to the judges of the circuit court of the United States for the southern district of Alabama requesting them that searching

the records and proceedings of said Court in these cases they shall certify to this court under the seal of the said Circuit court whatever errors and omissions shall be found On consideration whereof it is now here ordered and decreed by this Court that a writ of certiorari be and the same is hereby awarded to be issued forthwith and to be directed to the judges of the said circuit court commanding them to certify under the seal of the said circuit court whatever omissions and errors shall be found in these cases and return the same with the said writ of certiorari forthwith to this court.

per Mr Justice McLean —

38. James M Cooper. Plff in Er
vs
Enoch L Roberts.

The argument of this cause was concluded by Mr Vinton of counsel for the plaintiff in error. —

Charles Richey. claimant of Schooner Virginia &c. vs. Alvah Hutchingham Jal.	The argument of this cause was commenced by Mr. Reaves, of counsel for the appellant..

39. Appl.

Proclamation being made the court is adjourned until tomorrow morning at eleven o'clock. —

Tuesday, January 13. 1836.

Pursuant to adjournment the court met this morning at the Capitol

Present.

The Honorable John McLean
James M. Wayne
John Catron
Peter V. Daniel — Associate
Samuel Nelson — Justices.
Robert C Grier
Benja R. Curtis
John A Campbell

Jonah D. Hoover. Esquire. Marshal.
William Thomas Carroll. Clerk.

Proclamation being made the court is opened.

Edward C Richards. Isaac Bullett & Robert W. Thorn — Appeal from the Circuit Court
33. or } Camp[bell] v. Appts — of the United
Sylvanus Holmes. A. H. Harper. — States for the
George. A Dwight & al. — District of Columbia. holden
in and for the county of Washington.

This cause came on to be heard on the transcript of the record

from the Circuit court of the United States for the District of Columbia holden in and for the County of Washington and was argued by counsel. On consideration whereof, it is now here ordered, adjudged and decreed by this court that the decree of the said circuit court in this cause, be and the same is hereby affirmed with costs.

per Mr Jus. Curtis.

Josiah Seddons Griffith, James F. Cohen & Henry C. Cohen his wife, petitioners.

vs.

John B. Boogert, Abraham of McIlvaine, Morgan & Thaddeus Smith.

36.

In error to the Circuit Court of the United States for the District of Mississippi.

This cause came on to be heard on the transcript of the record from the Circuit court of the United States for the District of Mississippi and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this court that the judgment of the

said Circuit Court in this cause be and the same is hereby affirmed with costs.

For Ord Jas Grier.

The United States. Appts
vs
John C. Fremont. } Appeal from the District Court of the United States for the northern district of California.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the northern district of California, filed by the appellee, John C. Fremont, and on the motion of Messrs Bullenden and Bibb of counsel for the appellee to docket and dismiss this appeal pursuant to the 6th rule of this court, and was argued by counsel, as well against as in support of the said motion. On consideration whereof it appearing to this court that the appellants have altogether failed to prosecute their appeal pursuant to the rules of this court, and also as the mandate only was entered

on the records of the District Court. no advice being had thereon. that there was no ground for an appeal in this case from the said District Court it is therefupon now here ordered, adjudged and decreed by this court that this appeal be and the same is hereby dismissed and that this cause be, and the same is hereby remanded to the said district court with directions to proceed thereon according to law, and in conformity to this decree. and it is further ordered by this court here that the clerk do forthwith issue a writ of procedendo in this cause to the said District Court. _

Pres Mr. Justice McLean. _

Charles Hockley claimant of Schooner Freeman &c. Appt.
vs
Alvah Sweetzer et al.

39.

The argument of this cause was continued by Mr Hamm of counsel for the

appellant by Mr Hanson of counsel for the appellees and concluded by Mr Hamm

for the appellant.

Lefevre of James B. McCall, Guinn, et al Plff in Error
vs
William Carpenter, Trst. This cause was submitted to the consideration of the court on the record and printed arguments by Mr Guinn of counsel for the plaintiffs in error and by Mr Baker of counsel for the defendants in error.

The heirs of Gen. Lafayette
vs
Joseph Kinton, et al: The argument of this cause was commenced by Mr Taylor of counsel for the plaintiffs in error.

The heirs of Gen. Lafayette
vs
Edward C. Carter et al. The argument of this cause was commenced by Mr Taylor of counsel for the Plaintiffs in error.

Proclamation being made the court is adjourned until tomorrow morning at eleven o'clock.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable John McLean
James M. Wayne
John Catron
Peter V Daniel Associate
Samuel Nelson Justices
Robert C Grier
Benj R Curtis
John A Campbell.

Jonah D Hoover Esquire Marshal
William Thomas Carroll Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr Reverdy Johnson it is ordered that John Payne Esquire of New York be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly

The heirs of Gen'l Lafayette
42 vs pffs in er
Joseph Newton et al

The argument of this cause was continued by Mr Taylor of Counsel for the plaintiffs in error and by Mr Janin of Counsel for the defendants in error

The Heirs of Gen'l Lafayette
43 vs pffs in er
Edward C. Carter et al

The argument of this cause was continued by Mr Taylor of Counsel for the plaintiffs in error and by Mr Janin of Counsel for the defendants in error

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock

Pursuant to adjournment the Court met this morning at the Capitol

Present.

The Honorable John McLean
James M Wayne
John Catron — Associate
Peter V. Daniel — Justices
Samuel Nelson
Robert C Grier
Benjamin R Curtis &
John A Campbell

Jonah D Hoover, Esquire Marshal
William Thomas Carroll, Clerk

Proclamation being made the Court is opened

28 Seales Ferreol et al claimants of the ship Admittance and of the cargo of the ship Admittance vs John P Montgomery Libt — Appeal from the Circuit Court of the United States for the District of Columbia holden in and for the County of Washington

This cause came on to be heard on the transcript of the record from the Circuit

Court of the United States for the District of Columbia holden in and for the County of Washington and was argued by counsel - on consideration whereof it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

for Mr Jus: Daniel

The Heirs of Gen'l Lafayette vs pltffs in err. The argument of
413 Joseph Renton et al this cause was continued by Mr Benjamin of counsel for the defendants in error, and concluded by Mr Taylor of counsel for the plaintiffs in error. -

The Heirs of Gen'l Lafayette vs pltffs in e The argument of
414 Edward C. Carter et al this cause was continued by Mr Benjamin of counsel for the defendants in error and concluded by Mr Taylor of counsel for the plaintiffs

in error

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock

Friday January 18th 1856

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable John McLean
James M Wayne
John Catron associate
Peter V. Daniel Justices
Samuel Nelson
Robert C Grier
Benj R Curtis
John a Campbell

Josiah D Hoover Esquire Marshal
William Thomas Carroll Clerk

Proclamation being made the court is opened

On motion first made to the court in this behalf by Mr Attorney General Cushing it is ordered that Samuel Crawford Esquire of Wisconsin be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

James L Calvert pltff in er
vs
Fredk Stanton et al

155

the motion to dismiss this writ of error was argued by Mr Lafamie of counsel for the defendant in error, in support thereof, and by Mr Leverty Johnston, of counsel for the plaintiff in error against the motion.

Sylvester P Preston et al
vs pltffs in er
Charles Stanton

29 Jan 1856

on the motion of Mr Crawford of counsel for the defendant in error

It is now here considered and ordered by the Court, that the clerk of this Court deliver to the said Counsel the bond filed in this Court with the transcript of the record in this case, and that in lieu of the same he place on the files a certified copy thereof with the receipt of the said counsel therefor

Friday January 18. 1856 continued

The United States plffs in er
vs
The Minnisota & North Western
Rail road company

The motion of the Attorney General to dismiss this writ of error

was argued by Mr Attorney General Cushing in support thereof and by Messrs Reverdy Johnson & Barlow, of Counsel for defendant in error against the motion

Proclamation being made the Court is adjourned until Monday morning at eleven o' clock

Pursuant to adjournment the court met this morning at the Capitol

Present

The Honorable John McLean
Peter V Daniel
Samuel Nelson associate
Robert C Grier Justices
Benjamin R Curtis
John A. Campbell
Jonah D Hoover Esquire Marshal
William Thomas Carroll Clerk

Proclamation being made the court is opened

On motion first made to the court in this behalf by Mr Spalding - it is ordered that Samuel W Holladay Esquire of California be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly

On motion first made to the Court in this behalf by Mr Haven - it is ordered that John M. Parker and John S.

Van Allen Esquire of New York and A. J. Rainey Esquire of Texas be admitted to practice as attorney and counsellors of this Court and they were severally sworn accordingly

Burr H Bills appt
51 vs
John H Lewis & wife

Mr A P Butler having stated that there was a stipulation on the files of this court to continue this cause, moved the Court to continue this cause to the next term on consideration whereof it is now here ordered by the Court that this cause be and the same is hereby continued to the next term

John P. Craighead et al
44 vs appts
Joseph E Wilson et al

Mr Crittenden in behalf of some of the appellants in this cause moved the Court to continue this cause - to which Mr Taylor of counsel for the appellants assented - But which was opposed by Mr Benjamin of counsel for the

appellees - whereupon this Court not being now here sufficiently advised of and concerning what order to make in the premises took time to consider

58 The United States pltff in er vs The Minnesota & Northwestern Railroad company pltff in er

The argument of the motion to dismiss this cause was concluded by Mr Attorney General Cushing in support thereof

155 James L Calcote pltff in er vs Frederick Stanton et al

The argument of the motion to dismiss this cause was continued by messrs Day & Reverdy Johnson in opposition to the same

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock

Tuesday January 22d 1856

Pursuant to adjournment the court met this morning at the Capitol

Present

The Honorable John McLean
Peter V Daniel
Samuel Nelson associate
Robert C Grier Justices
Benjamin R Curtis
John A. Campbell

Jonah D Hoover Esquire Marshal
William Thomas Carroll Clerk

Proclamation being made the court is opened

On motion first made to the court in this behalf by Mr Spalding - it is ordered that Marcus J. Parrott Esquire of Kansas Territory and Elza Jefford Esquire of Ohio be admitted to practice as attorneys and counsellors of this court and they were severally sworn accordingly

On motion first made to the court in this behalf by Mr Mace - it is ordered that John Upfold Esqr of Indiana be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly

44 John P. Craighead et al vs Joseph E. Wilson et al appls. | On consideration of the motion made in this cause yesterday by Mr Crittenden and of the arguments of counsel thereupon had as well in support of as against the said motion it is by the court now here ordered that the said motion be and the same is hereby overruled.

32 Robert A. Parker and Miles While vs William Overman appls. | Appeal from the Circuit Court of the United States for the Eastern District of Arkansas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Arkansas and was argued by Counsel. On consideration whereof it is the opinion of this Court that the sale of the land of the appellants was "contrary to law" and that the deed from Edward M Harris Sheriff and Collector of Dallas County to William Overman set forth and described in the pleadings and Exhibits of this case is void and should be annulled. Whereupon it is here now ordered adjudged and decreed by this court that the decree of the said Circuit Court of the United States for the Eastern district of Arkansas in this cause be and the same is hereby reversed with costs and that this cause be and the same is hereby remanded to the said Circuit Court with directions to enter a decree therein annulling the aforesaid deed and

in conformity to the opinion of this Court

per Mr Justice Grier

William Jones & Lyman Marsh plaintiffs in error v William L. Houston	in error to the Circuit Court of the United States for the district of Illinois

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the district of Illinois and was argued by counsel — On consideration whereof it is now here ordered and adjudged by this court that the judgment of the said Circuit Court in this cause be and the same is hereby reversed with costs, and that this cause be and the same is hereby remanded to the said Circuit Court with directions to award a venire facias de novo

per Mr Justice Nelson

Samuel Verdin pltff &c
vs
Isaac Coleman

The counsel for the respective parties having filed the following stipulation in writing viz:—

"They agree that the record in this case be, and to correspond with the truth should be amended by supplying an order which appears upon the order book of the Benton Circuit Court in the State of Indiana in which Court said case originates and which order occurs in said order book immediately after the order dissolving the injunction and before that allowing (an) an appeal to the Supreme Court of Indiana and is as follows" and thereupon this case is submitted for final hearing upon bill answer and exhibits and thereupon it is ordered by the Court and decreed that the said bill of complaint be dismissed at the costs of the complainant which costs the complainant is ordered to

pay within ninety days" that said record was so certified from the said Lenton Circuit Court to the Supreme Court of Indiana and that there is a diminution in the record as certified from the Supreme Court of Indiana in this that it does not contain said order

Daniel Mace for Verdin
Z Baird counsel for Blevins

It is on consideration thereof by the Court now here ordered that the said motion be and the same is hereby overruled

44 | Wm T Coughland et al vs appts Joseph E. Wilson | The argument of this cause was commenced by Mr Taylor of Counsel for the appellants

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock

Wednesday January 23d 1856

Pursuant to adjournment the Court met this morning at the Capitol

Present.

The Honorable John McLean
John Catron
Peter V. Daniel — Associate
Samuel Nelson — Justices
Robt C Grier
Levi Woodbury
John A Campbell

Jonah D Hoover Esquire marshal
William Thomas Carroll Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr Gillet - it is ordered that Robert Lowry Esquire of Indiana be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

On motion first made to the court in this behalf by Mr Pressenden - it is ordered that James S Bell Esquire of Massachusetts be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly

Jacob Kissell plff in Er

vs

The Board of the President and directors of the St Louis Public Schools

22 In error to the Supreme Court of the State of Missouri

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Missouri and was argued by counsel - On consideration whereof it is now here ordered and adjudged by this court that the judgment of the said Supreme Court in this cause be and the same is hereby affirmed with costs

per Mr Justice Catron

28 Decker Torre & Co &c vs John B Montgomery appls

On the motion of Mr Johnson of Counsel for the appellee it is ordered by the court that the Clerk may issue a writ of procedendo in this case so soon as the same can be prepared by him

111 John B Bringhead &al vs Joseph E. Wilson &al appls

The argument of this cause was continued by Mr Taylor of Counsel for the appellants

(Mr Justice Catron did not sit in the argument of this case)

41 The orders and heirs of Benjamin Poydras de la Lande plffs in Error vs The Parish of Louisiana

The argument of this cause was commenced by Mr Janin of Counsel for the plaintiffs in Error continued by Mr Benjamin

of Counsel for the defendant in Error and concluded by Mr Lanier for the plaintiffs in error

Proclamation being made the Court is adjourned until tomorrow morning at eleven oclock

Thursday January 24th 1856

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable John McLean
John Catron
Saml Nelson associate
Robt C Grier Justices
Benj R Curtis
Joshua Campbell

Jonah D Hoover Esquire Marshal
William Thomas Carroll Clerk

Proclamation being made the Court is opened

37 Edwin C Little and Alvin Sewall appts vs Levi H Hall, Anthony Gould, David Banks William Gould and David Banks Jr. | Appeal from the Circuit Court of the United States for the Northern District of New York

This cause came on to be heard on the transcript of the record

from the Circuit Court of the United States for the Northern District of New-York and was argued by Counsel On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this Cause be and the same is hereby affirmed with Cost

Per Mr. Justice McLean

James Eustbridge Exr of John B. Conighead dec'd et al Appts	Appeal from the Circuit Court of the United States for the Eastern district of Louisiana
44 Joseph E. Wilson et al	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Louisiana and it appearing to the court that the decree entered in this case is not a final decree - It is therefore now here ordered adjudged and decreed by this Court that this

Cause be and the same is hereby dismissed for the want of jurisdiction

Per Mr Justice McLean

Joseph E Wilson et al
vs
John B Craighead et al

411 Appts

appeal from the Circuit Court of the United States for the Eastern District of Louisiana

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern district of Louisiana and it appearing to the Court that the decree entered in this Case is not a final decree. It is therefore now here ordered adjudged and decreed by this Court that this cause be and the same is hereby dismissed for the want of jurisdiction

Per Mr Justice McLean

William Kellogg Plff in Error &c
152 vs
Robat Forsyth

In Error to the Circuit Court of the United States for the Northern District of Illinois

Mr Gillet of counsel for the defendant in Error having filed and read in open court the following copies and certificate viz:-

"United States of America
Northern District of Illinois.-

In the circuit Court of the United States for said Northern District of Illinois

On judgment in ejectment in July term AD 1855 held July 12. 1855
Robert Forsyth vs William Kellogg-

Be it remembered that heretofore to wit on the twenty third day of July in the year of our Lord one thousand eight hundred and fifty five the said defendant by his attorney filed in open court with the clerk thereof an appeal Bond in the words and figures

following to wit

Circuit Court of the United States
for the Northern District of Illinois
of the July Term AD 1855

Robert Forsyth

Vs | In Error

William Kellogg

Know all men by these
presents that we William Kellogg
and Charles Ballance are held
and firmly bound unto the above
named Robert Forsyth in the sum
of ($2000) Two Thousand dollars to
be paid to the said Robert Forsyth
his executors and administrators, to
which payment well and truly to
be made we bind ourselves and
Each of us jointly and severally and
our and each of our heirs executors
and administrators firmly by these
presents Sealed with our Seals and
dated this 22d day of July AD
1855. Whereas the above mentioned
William Kellogg hath prosecuted
a writ of Error to the Supreme

Court of the United States to reverse the judgment rendered in the above entitled cause by the said Circuit Court of the United States for the Northern District of Illinois

Now therefore the condition of the above obligation is such that if the above named William Kellogg shall prosecute his said writ of Error to effect and answer all damages and costs if he shall fail to make good his plea then this obligation to be void otherwise the same shall be and remain in full force and virtue

Endorsed Wm Kellogg [seal]
C Ballance [seal]

Approved Thomas Drummond

also endorsed

Filed July 23. 1855
Wm H Bradley Clerk

And on the next day to wit on the twenty fourth day of July A.D 1855 the said defendant by his attorney filed in said court with the Clerk thereof his

writ of error in said cause in the words and figures following that is:—

In the United States of America
Northern District of Illinois } ss

The United States of America
To the Judges of the Circuit Court of the United States for the Northern District of Illinois— Greeting

Because in the record and proceedings as also in the rendition of a judgment in a plea which is in the said court before you between Robert Forsyth against William Kellogg a manifest error hath happened to the great damage of the said William Kellogg as by his complaint appears and it being fit that the error if any there hath should be duly corrected and full and speedy justice done to the parties aforesaid in this behalf you are hereby commanded if judgment be thereon given that then under your seal distinctly and openly you send the record and proceedings aforesaid with all things concerning the same to the Supreme Court of the

United States together with this writ so that you have the same at Washington on the first Monday of December next in the said Supreme Court to be then and there held that the record and proceedings aforesaid being inspected the said Supreme Court may cause further to be done therein to correct that error what of right and according to the law and custom of the United States should be done

Witness the Hon Roger Taney Chief Justice of the Supreme Court of the United States this 23d day of July AD 1855 and of our Independence the 80th year.

Wm H Bradley Clerk

Endorsed — Filed 24th July 1855 William H Bradley Clerk Northern District of Illinois

I William H Bradley Clerk of the Circuit Court of the United States for said Northern District of Illinois do hereby certify that the foregoing transcript contains a full true and

period copy of the appeal bond filed by the defendant and also of the writ of error sued out by him and allowed in an action in Ejectment wherein judgment was rendered against the defendant in said court on the 12th day of July ad 1855 and wherein Robert Forsyth is plaintiff and William Kellogg is defendant as the same now remains on the files of my office

In testimony whereof I have hereunto set my hand and affixed the seal of said Court at my office in Chicago in said District this 11th day of January ad 1856

William H Bradley Clerk

And now said that the plaintiff in error had altogether failed to file the record of said cause in this court now on motion the court in pursuance of the 63d rule of this court do have this writ of error dismissed and dismissed. On consideration whereof it is now ordered and adjudged by this court that this

writ of error to the Circuit Court of the United States for the Northern District of Illinois be and the same is hereby dismissed with costs and that this cause be and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity to law and justice the said writ of error notwithstanding

Jan 21st Thursday McLean

James A Abbott esqr for the argument of this
46 The plaintiff in error was commenced
The Essex Company by Mr Abbott for the
plaintiffs in Er and
continued by Messrs Merrick and Strong
of Counsel for the defendants in error

Proclamation being made the court
is adjourned until tomorrow morning
at eleven o'clock

Friday January 22d 1850

Pursuant to adjournment the court met this morning at the Capitol

Present

The Honorable John McLean
John Catron
Saml Nelson associate
Robt C Grier Justices
Benj R Curtis
John A Campbell

Ferd D Moore Esquire Marshal
William Thos Carroll Clerk

Proclamation being made the Court is opened.

On motion first made to the court in this behalf by Mr Ramsay Johnson it is ordered that Benj R Curtis Esquire of New York be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly

Confirmation Convergrave		The Clerk of Council
68	vs	for the appellees
The City of Rochester et al		having filed and

read in Open Court a suggestion of a diminution of the record in this case in the words and figures following to wit:—

"That the record in this case does not contain copies of the following documents viz: 1st an act of Sale from Jean Gravier to Peter Delabigarre dated the 20th of March 1811 and recorded in the office of Pierre Pedesclaux Notary Public on the 27th of the same month

2d The report of the Mayor of the Gravier to the Mayor Aldermen and Inhabitants of the city of New Orleans published Nov 22d 1805

3d An act of Sale from Simon Bordier and others to Edward Livingston dated May 3d 1819

4. The resolutions of the City Council of New Orleans of August 30th 1820 accepting the propositions of Messrs Gravier and Blazenau in behalf of the Gravier properties and authorizing the Mayor to execute the necessary act— all which documents were introduced as contained in the printed brief prepared by Counsel of

the Counsel of the appellees in the Circuit Court in another suit viz: the suit of A. L. Delabigarre vs the Municipality No two.—

By reason of which omissions and errors aforesaid the said Counsel now here moved the Court to award a writ of Certiorari to be directed to the Judges of the said Circuit Court requiring them that searching the records and proceedings of the said Court in this Cause they do certify to this Court under the seal of the said Circuit Court whatever omissions and errors shall be found — On consideration whereof it is now ordered adjudged and decreed by this Court that a writ of Certiorari be and the same is hereby awarded to be issued forthwith and to be directed to the Judges of the said Circuit Court commanding them to certify under the seal of the said Circuit Court whatever omissions and errors shall be found in this cause and to return the same with this writ of certiorari forthwith to this Court

Jos. H. Lisle

James C Alderson &c } The argument of
116 vs } this cause was con-
The Etna Company } -tinued by Mr Strong
of Counsel for the
defendants in error and concluded by
Mr Pendleton of Counsel for the plain-
-tiffs in error

Robert McLaughlin } The argument of this
117 vs } cause was commen-
James Brain et al } -ced by Mr Henry,
Miller Davis & Counsel
for the plaintiff in error

Proclamation being made the Court
is adjourned until Monday morning
at eleven o'clock

Pursuant to adjournment the court met this morning at the Capitol

Present

The Honorable John McLean
John Catron
Peter V. Daniel — associate
Samel Nelson — Justices
Robt C Grier
Benj R Curtis
John A Campbell

Israel D Hoover Esquire — Marshal
William Thomas Carroll — Clerk

Proclamation being made the Court is opened

117 | Patrick McLaughlin vs Illinois Central Rail Road Company et al | the argument of this cause was continued by Mr Davis of counsel for the plaintiff in error by Mr Thomas Campbell of counsel for the defendants in error and concluded by Mr Davis for the plaintiff in error

The steamboat New York
No 6. Duranbias & claimts
48 vs appts
Isaac P. Rea owner of
&c. Brig Frank Ahrens

This cause was submitted to the court on the record and printed arguments by Messrs Cutting & Morton for the appellants and by Mr Bell for the appellee

William F. Schmidt et al claimts of Brig Fenaida
49 vs Appts
Frederick Heiman

The argument of this cause was commenced by Mr Ready who is of counsel for the appellants

Proclamation is made the court is adjourned until to morrow Morning at eleven o'clock

Tuesday January 29th 1856

Pursuant to adjournment the court met this morning at the Capitol

Present

The Honorable John McLean
John Catron
Peter V Daniel associate
Samt Nelson Justices
Robt C Grier
Benj R Curtis
Jno A. Campbell

Donal S Rossa Esquire Marshal
William Thomas Carroll Clerk

Proclamation being made the court is opened

On motion first made to the court in this behalf by Mr Spalding - it is ordered that Stephen C Noble Esquire of Ohio be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly

Tuesday January 19th 1836 In Equity 1821

38	James M Cooper vs Enoch C Roberts	In Error to the Circuit Court of the United States for the District of Michigan

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the district of Michigan and was argued by counsel On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby reversed with costs and that this cause be and the same is hereby remanded to the said Circuit Court with directions to award a venire facias de novo

per Mr Justice Campbell

The schooner Truman her tackle
vs Charles Linton Claimt & Appeal from the
39 vs apltt Circuit Court
Alvah Cunningham Pilot of the United
Cunningham Benjamin H States for the
Cunningham and James Northern District
McCulloch of New York

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of New York and was argued by Counsel. On consideration whereof it is now hereby ordered adjudged and decreed by this Court that the decree of said Circuit Court Circuit Court in this cause be and the same is hereby reversed with costs and that this cause be and the same is hereby remanded to the said Circuit Court with directions to dismiss the libel in this case with costs

per Mr Justice Curtis

James L. Calcote plff in er		In error to the
155	vs	High Court of
Frederick Stanton and		Errors and Ap-
Henry L. Buckner		peals of the
		State of Miss-
		issippi

This cause came on to be heard on the transcript of the record from the High Court of Errors and Appeals of the State of Mississippi and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this court that this cause be and the same is hereby dismissed for the want of jurisdiction

per Mr Justice Davis

The United States plffs in er		In error to
58	vs	the Supreme
The Minnesota and North		Court of the
Western Rail Road Company		Territory of
		Minnesota.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Min-

-nesota and on the motion of Mr Attorney General Cushing on behalf of the United States for leave to discontinue this writ of error and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that this writ of error be and the same is hereby discontinued.

per Mr Justice Nelson

Adam Kan plff in err
vs.
The State of Missouri

In error to the Supreme Court of the State of Missouri

29

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Missouri and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be and the same is hereby affirmed with costs

per Mr Justice Daniel

42 The Heirs of Gen Lafayette vs Gilpin et al } In error to the Circuit Court of the United States for the Eastern District of Louisiana

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Louisiana and was argued by counsel - On consideration whereof it is now here ordered and adjudged by this Court that the judg-ment of the said Circuit Court in this cause be and the same is hereby af-firmed with costs

Mr Justice Catron

43 The Heirs of General Lafayette vs Gilpin et al Edward C. Carter et al Michaela Leonard Almonester wife of Joseph Xavier Delaronde de Pontalba et al and Thomas Suzanne Gilpin et al } In error to the Circuit Court of the United States for the Eastern District of Louisiana.

This cause came on to be heard

on the transcript of the record from the Circuit Court of the United States for the Eastern District of Louisiana and was argued by counsel On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs

per Mr Justice Catron

Minor & Smith et al The argument of
Circuit of Ship Kirwan &c this cause was con-
49 vs Appts tinued by Mr Reverdy
Frederick Kuerian Johnson of counsel
for the appellants
by Mr Ellis of counsel for the appellee
and by Mr Johnson for the appellants.

Whereupon the Court is
adjourned until tomorrow morning
at eleven o'clock.

Pursuant to adjournment the court met this morning at the Capitol

Present

The Honorable John McLean
John Catron
Peter V Daniel Associate
Sam'l Nelson Justices
Robt C Grier
Benj Rcmin
John A Campbell

Josiah S Hooper Esquire Marshal
William Thomas Carroll Clerk

Proclamation being made the court is opened

On motion first made to the court in this behalf by Mr Stanberry - it is ordered that H P Reed Esquire of Ohio be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly

Lessee of William T Patterson
vs
Richard Lucklen et al

Mr Wood of Counsel for the plaintiff having read in open Court the Stipulation filed in this Case in the words and figures following to wit.

"A mistake having occured in the certified copy of the certificate of the division of opinion of the Judges of the Third Circuit in this Case sent by the Clerk at Washington misnaming the defendant in this action but the original certificate on the minutes being correct it is hereby mutually agreed that the said copy may be corrected in said respect and also by inserting the name of Richard Ryan and others in said certificate and that the printed cases be also amended accordingly - And a mistake having also occurred in the finding of the jurors in stating the origin of Samuel Swanwick's title to the premises in question it is further agreed that the words "by virtue of a deed & dem by Madison J Green

and wife dated 2d February 1835" be stricken out of the same and out of the special verdict and that the words by virtue of the deeds to him the said Samuel Southard from David Hornblower and Smith and Cassada Rusles of Anna Hornblower hereinafter mentioned" be inserted in their place This Stipulation is not to be read until Monday the 21st January 1856 Dated January 12. 1856

Edgar S. Van Winkle Atty for Plff
A S Hubbell Atty for Defts

Moved the Court that the record in this case on the files of this Court be amended pursuant to the terms of the said Stipulation - On consideration whereof it is now here ordered by the Court that the said record be amended accordingly

	Julian S Schmidt et al Claimt of Ship Howard Appt vs Rudolph Fuchan Appellants	The argument of this cause was concluded by Mr Reverdy Johnson of Counsel for the
49		
50	John F. McKinney plff in err vs Manuel Savage defdt	This cause was submitted to the consideration of the Court on a printed argument by Mr Hall of Counsel for the plaintiff in error
52	John G Shields Appt vs Isaac Thomas et al	This cause was argued by Mr Gillet of Counsel for the Appellant and submitted on a printed argument by Mr Hall both in behalf of the Appellee

Lessee of James P. Murray et al

54 vs pltff

The Hoboken Land and Improvement Company

Lessee of James P. Murray

55 et al vs pltff

The Hoboken Land and Improvement Company

and

Lessee of Wm P. Rathbone et al

56 vs pltff

Rutsen Suckley et al

The argument of these cases was commenced by Mr Van Winkle & Counsel for the plaintiffs

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock

Thursday January 31st 1856

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable John McLean
[illegible] Baker
Peter V Daniel Associate
[illegible] Nelson [illegible]
Robt C Grier
Benj R Curtis
John A Campbell
Wm D Horner Esquire Marshal
William Thomas Carroll Clerk

Proclamation being made the Court is opened

41 | The order entered on the [illegible] of Expenses & costs in the Supreme Court of the State of Louisiana | The Supreme Court of the State of Louisiana

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of

Louisiana and was argued by Counsel
On consideration whereof it is now ordered and adjudged by this Court that this cause be and the same is hereby dismissed for want of jurisdiction

per Mr Justice McLean

The United States appellants
vs
Pierson S. Reading

Mr Cushing of Counsel for the appellants moved the Court for leave to the Clerk to issue a mandate in this case - On consideration whereof it is now here ordered by the court that the leave prayed for be and the same is hereby granted

John F. McKinley plff in er
vs
Manuel Savage & wife

This cause was submitted to the Court on behalf of plaintiff in error on a printed argument by Mr Hughes his counsel

Lessee of James D. Murray et al

54 vs Pltff

The Hoboken Land and Impr- The argument
-rovement Company of these cases
was continued
Lessee of James D. Murray et al by Mr Lewis Mc-
55 vs Pltff -kle for the pla-
The Hoboken Land and Impr- -intiffs and by
rovement Company Messrs Gillet
and and Yabriski
Lessee of Wm P Robbins et al of Counsel for
56 vs Pltff the defendants
Ruben Lockley et al

Proclamation being made the Court
is adjourned until tomorrow morning
at eleven o'clock

Pursuant to adjournment the court met this morning at the Capitol

Present

The Honorable John McLean
John Catron
John T Nelson } Associate
Saml Nelson } Justices
Robt C Grier
Benj R Curtis
John Campbell

Joseph S Hanson Esquire Marshal
William Thomas Esquire Clerk

Proclamation being made the court is opened

Lessee of James B Murray &c — plff
vs
54 The Pekin Land and Improvement Company }

Lessee of James B Murray &c — plff
vs
55 The Pekin Land and Improvement Company }

and

Tuesday February 3rd 1846 continued

Term of the Supreme Court

36

Kelsey Buckley et al

The argument of these cases was resumed by Hugh Latimer Lindley and Butler of counsel for the defendants

Decision not being made the court is continued until Monday morning at eleven o'clock

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable	Roger B Taney		Chief Justice
	John McLean		
	James M Wayne		
	John Catron		Associate
	Peter V Daniel		Justices
	Saml Nelson		
	Robt C Grier		
	Benj R Curtis		
	John A Campbell		
Elisha H Hall		Esquire	Marshal
William	Thomas	Carroll	Clerk

Proclamation being made the court is opened

On motion first made by the Court in this behalf by Mr Mason it is ordered that R. A Lockwood Esquire of California be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly

Lessee of James P Murray et al - Jeff

511 vs

The Hoboken Land and Improvement Company

Lessee of James P Murray et al - Jeff

55 vs

The Hoboken Land and Improvement Company

and

Lessee of Wm P Rathbone et al - Jeff

56 vs

Rutson Suckley et al

The argument of these cases was continued by Mr Butler for the defendants and concluded by Mr Hoyt of Counsel for the plaintiffs

George C Hodges appt

53 vs

John M Horsey

The argument of this cause was commenced by Mr Spalding of Counsel for the appellant

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Roger B. Taney Chief Justice
John McLean
James M Wayne
John Catron associate
Peter V Daniel Justices
Saml Nelson
Robt C Grier
Benj R Curtis
John A Campbell
Jonah D Hoover Esquire Marshal
William Thomas Cannot Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr Elliot it is ordered that James S Brown Esquire of Missouri be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

	Geo. C. Dodge appt	The argument of
53	To	this cause was
	John M Woolsey	continued by Mr
		Spalding of counsel

for the appellant and by Messrs Starbuck and Virtue of counsel for the appellee

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Roger B Taney Chief Justice
John McLean
James M Wayne
John Catron associate
Peter V Daniel Justices
Sam'l Nelson
Robt C Grier
Benj R Curtis
John A Campbell

Jonah D Hoover Esquire Marshal
William Thomas Carroll Clerk

Proclamation being made the Court is opened

53 Geo C Dodge appt vs John M Woolsey

The argument of this cause was continued by Mr Vinton of Counsel for the defendant and concluded by Mr Pugh of counsel for the appellant

	Alexander Hunter's Exr	The argument of
57	vs Affirmed	this Cause was
	Philip H Minor	commenced by Mr
		H Hunter Davis

of counsel for the Plaintiff in error and continued by Mr Laurence of Counsel for the defendants in error

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable John McLean
James M Wayne
John Catron
Peter V Daniel associate
Gabriel Nelson Justices
Robt C Grier
Levi R Curtiss
John A Campbell

Jonah D Hoover Esquire Marshal
William Thomas Carroll Clerk

Proclamation being made the court is opened

On motion first made to the court in this behalf by Caleb Herrod it is ordered that William H Kelsey Esqr of New York be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

Patrick McLaughlin pltff in Er

47

vs

James Shaw and John S Gittings Garnishees of the Chesapeake and Ohio Canal Company

In Error to the Circuit Court of the United States for the District of Maryland

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Maryland and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby reversed with costs and that this cause be and the same is hereby remanded to the said Circuit Court with directions to award a venire facias de novo

per Mr Justice Curtis

Mr Chief Justice Taney was prevented by sickness from taking his seat on the bench at the present term until the 11th February - and was not present when this case was argued and decided in this Court

46 James A. Hibel and Ferdinand his wife demandants & plffs in Err vs The Lessee Company Tenants of Massachusetts

Error to the Circuit Court of the United States for the district

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the district of Massachusetts and was argued by Counsel - On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs

per Mr Justice Grier

49 The Ship Howard &c Master &c William F Schmidt and George Fisher Claimants & appts vs Frederick Herman Sibellant

Appeal from the Circuit Court of the United States for the Southern district of New York

This cause came on to be heard

on the transcript of the record from the Circuit Court of the United States for the Southern District of New York and was argued by counsel - On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this Cause be and the same is hereby reversed with costs and that this Cause be and the same is hereby remanded to the said Circuit Court with directions to that court to dismiss the libel with costs

for the Court Taney

Alexander Hunter Exr. vs. Jeffries & Philip H. Minor

57

The argument of this Cause was Continued by Mr Badger of Counsel for the defendant in error and Concluded by Mr Bradley of counsel for the plaintiff in error

59 John I Orton - appt
vs
George Smith

The argument of this cause was commenced by the Counsel of counsel for the appellant and continued by the Counsel of counsel for the appellee

Proclamation being made the court is adjourned until tomorrow morning at eleven o'clock

Friday February 8th 1856

Pursuant to adjournment the court met this morning at the Capitol

Present

R. B. Taney Chief Justice
John McLean
James M. Wayne
John Catron
Peter V. Daniel associate
Saml. Nelson Justices
Robt. C. Grier
Benj. R. Curtis
John A. Campbell

Josiah. D. Hoover Esquire Marshal
William Thomas Carroll Clerk

Proclamation being made the court is opened

Israel Pickens Thomas Jones Chadick	In error to
Grant Thomas Caldwell Charles C	the District
Grant Gabriel Grant John	Court of
Thomas Samuel Lawson Billy	the United
Lawson and William P. Conniger	States for
203 vs pltffs in er	the District
Joseph H. Efford	of Texas

Mr Reverdy Johnson of Counsel for the defendant in error having filed and read in open court the following Bill of Exceptions to wit:-

"United States of America
District of Texas — ss:-

I James Love Clerk of the District Court of the United States of America for the District of Texas do hereby certify that lately to wit at the February Term of said court in the present year of our Lord one thousand eight hundred and fifty five which term has since closed and terminated and on the 26th day of March in the said year being a day of said term judgment was rendered by the said District Court in a certain civil cause and suit then standing upon the docket of said Court and entitled Joseph Alford vs David Dykes et als Wherein at the said time Joseph Alford was plaintiff and David Dykes Isaac Garner Obadiah Cook Thomas Gardner Charles C. Cook Patrick Choat John Dawson James Dawson

Samuel Dawson Riley Dawson and William P Covington were defendants which said judgment was in the following words to-wit

Joseph Ilsford
vs
Isiah Dyckes et al

On this day came the parties by their attorneys and the jury impannelled to try the issue joined between the plaintiff aforesaid and the defendants John Dawson James Dawson Samuel Dawson Riley Dawson and William P Covington having at the 27th day of February A.D. 1835 being a day of the present term of this Court returned a verdict as follows to-wit "We the jury find for the plaintiff against John Dawson James Dawson Samuel Dawson Riley Dawson and Wm P Covington and assess his damages at one cent" J E Haviland foreman" and the jury impannelled to try the issue between the plaintiff and the defendants Isiah Dykes Obediah Cook Isaac Cook Thomas Gardner Isaac Garner and Gabriel Choate having

having on the 21st day of March ad
1855 being a day of the present term
of this Court returned a verdict as
follows towit "We of the jury find
for the plaintiff the land described
in his petition and assess his damages
at one cent and also find that Evan
Sykes Isaac Garner Obadiah Cook
Thomas Gardiner Charles C Cook
and Gabriel Choate the defendants
in this suit entered upon the land in
bad faith and are not entitled to pay
for improvements B P Buckner Foreman"
It is therefore now here considered by the
court that the said plaintiff recover
title and seizen of and from the de-
-fendants herein towit Sykes Isaac
Garner Obadiah Cook Thomas Gardiner
Charles C Cook Gabriel Choate John
Dawson James Dawson Samuel Dawson
Riley Dawson and William L Errington
the ten leagues of land described in his
petition towit. Six leagues of land si-
-tuated in the county of Milam in the
State of Texas lying on both sides

of the river or Creek called the San Gabriel or San Saviel and on both sides of Williamson Creek and bounded as follows towit:- Beginning at the north-west corner of the tract of land surveyed for Pedro Zarza and the south west corner of the tract surveyed for Miguel Arrita thence south 20° west along the western boundary line of the said Zarzas tract or survey crossing the said Williamson Creek and the said River or Creek called the San Gabriel or San Saviel Twelve thousand five hundred varas to the second corner of this tract thence running north 70° west Twenty thousand varas to the third corner - thence running north 20° East Twelve thousand five hundred varas to the fourth corner thence south 70° east Twenty thousand varas to the place of beginning containing within these lines two hundred and fifty millions of square varas or one sitio or leagues of land more or less - And that the plaintiff also recover of and from said defendants Hezekiah Ayres Isaac Garner Obediah

Cook Timas Gardiner Charles C Cook
Gabriel Cleat the Executors and
Dawson Samuel Dawson Riley Dawson
and William B Covington the cost
his damages by the juries aforesaid
assessed and also the sum of five hund-
-red and twenty five dollars and fourteen
cents his costs about his suit in this
behalf expended - and the said plaintiff
praying for a writ of possession to the
Marshal of this district to be directed
to cause him the said plaintiff to have
and be put in possession of his aforesaid
land & him the said - it is now here
accordingly granted."

"And that thereafter towit on the
twenty seventh day of March in the said
year and after the said term had
expired the said defendants in said cau-
-se and suit in said District Court duly
sued out a writ of error to the said judg-
-ment returnable to the term of the
Supreme Court of the United States
of America to be holden at the City of
Washington on the first Monday of

December in the said year all of which appears of record in said Circuit Court

In witness whereof I have hereunto set my hand and the seal of said District Court at the City of Galveston on this twenty fifth day of November in the year of our Lord one thousand eight hundred and fifty five

James Love Clerk

and now said that the plaintiffs in error had altogether failed to file the record of said cause in this Court now here moved the court in pursuance of the 13th rule of this Court to have this writ of error dismissed and dismissed On consideration whereof it is now here ordered and adjudged by this court that this writ of error to the District of the United States for the District of Texas be and the same is hereby dismissed and dismissed with costs and that this cause be and the same is hereby remanded to the said District Court for further

proceedings to be had therein in conformity to law and justice the said writ of error notwithstanding

Per the Chief Justice Taney

60 The United States appt vs Eng Nevins Willson Kohler claimant

Mr Attorney General Cushing of counsel for the appellants moved the Court for leave either to submit this cause on a printed brief or to move the court to discontinue the same— On consideration whereof it is now ordered by the court that the leave as prayed for be and the same is hereby granted and that this cause be and the same is hereby postponed for the present.—

63 Geo C Dodge appt vs John M Woolsey

Mr Lindsay of counsel for the appellee having filed and read in open court the following stipulation of the respective counsel to wit:—

On the hearing of this case in the Circuit Court it was agreed by Counsel that the bill & and the resolutions of the Canal Bank of Cleveland by the Attorney of the complainants be in Force and that the action of the Board of Review in regard to it was the same with this understanding they were read to the Court as follows

"Messrs J L Hewitt and others

Directors of the Canal Bank of Cleveland Gentlemen; As attorney for Adolph Kleinau Esquire of the City of New York one of the first holders of said Bank and in pursuance of his directions in the premises I hereby call upon you to institute the proper legal proceedings to prevent the collection by Geo L Dodge Treasurer of Cuyahoga County of the pretended tax which stands charged against said Bank in the Auditors of Cuyahoga County aforesaid for the current year and amounting to the sum of $6.288 $\frac{597}{1000}$ which tax is wholly illegal and of no binding force upon

said Bank.-

Yours H. J. Perkins
Attorney for Adolph Klemm

Cleveland Ohio Feb 15 1853

"Meeting of the Board of directors of the Canal Bank of Cleveland being held at its office on the 16th day of December 1853 Isaac L Hewitt, Morgan L Hewitt, Horatio N Otis, [illegible], and Ashbel McPerry

"The President Isaac L Hewitt having laid before the Board a letter of which the foregoing is a copy from Adolph Klemms attorney requesting said directors to institute legal proceedings to prevent the collection of a tax against said Bank standing on the duplicate of Cuyahoga County for this year (1853) it was on motion of [illegible] unanimously-

"Resolved. That we fully concur in the views expressed in said letter as to the illegality of the tax therein named and believe it is no way binding on said Bank, but in consideration of the many

obstacles in the way of carrying said law in the courts of this state we cannot consent to take the action which we are called upon in said bill to take but must leave said Klemm to pursue such measures as he may deem best in the premises

"Resolved that a copy of these proceedings be furnished said Klemm or his attorney

J C Severance, Cashier

"As this item of evidence has been omitted in the transcript of the record sent up to this Court it was agreed before the argument at the bar of this court that it should be considered in evidence and as such was used by the Counsel of the appellant and commented on by the counsel of both parties

"And it is now agreed that it be considered as in the case and all objection is waived on account of its omission in the record R. P. Spalding atty for appt

Washington Feb 7 1856 Henry Stanbery Counsel for Appellee

Moved the Court for leave to amend the record in this case pursuant to said stipulation - On consideration whereof it is now here ordered by the Court that the record filed in this Case be amended pursuant to the terms of said stipulation

Dred Scott plff in Er
vs
John F A Sanford

On the motion of Mr Reverdy Johnson of counsel for the defendant in error

It is now here ordered by the court that three hours be allowed to each counsel on the argument of this cause. -

61

John J Cater - appt
vs
George Smith

The argument of this cause was continued by Mr Brown of counsel for the appellee and concluded by Mr Gillet of counsel for the appellant

59

Proclamation being made the Court is adjourned until Monday morning at eleven o'clock

Monday February 11th 1856

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable	Roger B Taney		Chief Justice
	John McLean		
	James M Wayne		
	John Catron		
	Peter V Daniel		Associate
	Samuel Nelson		Justices
	Robt C Grier		
	Benj R Curtis		
	John A Campbell		
Enoch D Hoover	Esquire		Marshal
William Thomas	Carroll		Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr Lodge - it is ordered that Jackson H Grier Esquire of Tennessee be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

On motion first made to the court in this behalf by Mr Taylor. it is ordered that Thomas Williams Esquire of Pennsylvania be admitted as an attorney and counsellor of this court and he was sworn accordingly

The United States— appts. vs The Eng Henrea Williams Kohler Claimant

60

The Attorney General Cushing of counsel for the appellants having filed and read in open court a suggestion of a diminution of the record in this cause in the words and figures following to wit:-

"that no statement of the allowance of the appeal by the court is contained in the said record without which it may not sufficiently appear that said appeal was actually allowed, and that in this behalf said record is not full and complete"

By reason of which omission and error aforesaid the said counsel now here moved the court to award a writ

of Certiorari to be directed to the judges of the district Court of the United States for the Northern District of California requiring him that searching the record and proceedings of said Court in this cause he shall certify to this court under the seal of the said District Court whatever omissions and errors shall be found

On consideration whereof it is now here ordered by this court that a writ of Certiorari is hereby awarded to be issued forthwith and to be directed to the Judge of the said District Court commanding him to certify under the seal of the said District Court whatever omissions and errors shall be found in this cause and return the same with this writ of Certiorari forthwith to this court

Present The Chief Justice Taney

Dred Scott plff in Er. vs John F A Sanford. The argument of this cause was commenced by Mr Blair of counsel for the plaintiff in error

61

Proclamation being made the Court is adjourned until 9. oclock tomorrow morning at eleven oclock

Tuesday February 12th 1856

Pursuant to adjournment the court met this morning at the Capitol

Present

The Honorable	Roger B Taney	Chief Justice
	John McLean	
	James M Wayne	
	John Catron	
	Peter V Daniel	associate
	Samil Nelson	Justices
	Robt C Grier	
	Benj Rbarkiss	
	John A Campbell	
	Ward H Hoover	Esquire Marshal
	William Thomas Carroll	Clerk

Proclamation being made the Court is opened

On motion just made to the Court in his behalf by Mr Guyer - it is ordered that Samuel H Hempstead Esquire of Ark-ansas be admitted to practice as an at-torney and counsellor of this Court and he was sworn accordingly

On motion Said made to the Court in this behalf by Mr Loomis - it is ordered that Philip Van Trump Esquire of Ohio be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly

John F McKenny - plff in Err vs
50 vs
Manuel Savage & Ricaway } the District Court of the United States for the district of Texas

This cause came on to be heard on the transcript of the record from the District Court of the United States for the district of Texas and was argued by Counsel - On consideration whereof it is now here ordered and adjudged by this court that the judgment of the said District Court in this cause be and the same is hereby reversed with costs and that this cause be and the same is hereby remanded to the said District Court with directions to award a venire facias de novo

per Mr Justice Campbell

The Steamboat New York her. appeal from
tackle appard &c Nicd C the Circuit
Durant, Chas H Durant and Court of the
Sophimus Lathrop Claimants &c United States
48 appts vs for the Southern
Isaac P Rea owner of the District of
Brig Sarah Johnson New York

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York and was argued by counsel - On consideration whereof it is now here ordered and adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar decrees bear in the courts of the State of New York

per Mr Justice Nelson
dissenting Mr Justice Daniel

Richard R Sessions, Daniel H Sessions & Lunford C Faulkner appts
vs
John M. Pritchard

26

appeal from the Circuit Court of the United States for the Eastern District of Arkansas

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Arkansas and was argued by counsel. On consideration whereof it is now here ordered adjudged and decreed by this court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs

Per Mr Justice McLean

The Chief Justice announced to the Bar (in pursuance of the 4th rule) that the court would not hear arguments after Friday the 29th instant. That it would then adjourn to Tuesday the

first day of April and then continue its session during the months of April and May unless some circumstance should make an earlier adjournment proper

James Megan petitioner		In error to the
120	vs	Circuit of the
Jeremiah F. Boyle		United States for the District of Mis-

-souri

Whereas it was ordered by this Court at December term 1851 that "Whenever any record transmitted to this Court upon a writ of error or appeal shall contain any document, paper, testimony or other proceeding in a foreign language and the record does not also contain a translation of such document paper testimony or other proceeding made under the authority of the inferior court or admitted to be correct the record shall not be printed but the case shall be reported to this court by the Clerk and the Court will thereupon remand it to the inferior court in order that a translation

may be there supplied and inserted in the record." And whereas pursuant thereto the Clerk has reported to the Court at the present term that the record returned to this court upon this writ of error contains several documents or papers in a foreign language and that it does not contain any translation of said documents or papers - It is thereupon now here ordered by this Court that this record be and the same is hereby remanded to the Circuit Court of the United States for the district of Missouri in order that translations of said documents and papers may be there supplied and inserted in the record

per Mr Chief Justice Taney

Dred Scott-plff in er. The argument of this
61 — vs . cause was continued by
John F A. Sanford. Mr Geyer of counsel for
. the defendant in Error
Proclamation being made the Court is adjourned
until to-morrow morning at eleven o'clock

Wednesday February 13th 1856

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Roger B Taney Chief Justice
John McLean
James M Wayne
John Catron
Peter V Daniel associate
Samuel Nelson Justices
Robt C Grier
Benj R Curtiss
John A Campbell
Josiah L Hoover Esquire Marshal
William Thomas Carroll Clerk

Proclamation being made the Court is opened

On motion first made to the court in this behalf by Mr J P Stanton - it is ordered that Absalom Fowler Esquire of Arkansas be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly

61 Dred Scott - plff in er
vs
John F A Sanford

The argument of this cause was continued by Mr Redy Johnson of Counsel for the defendant in error and by Mr Blair of Counsel for the plaintiff in error

Proclamation being made the Court is adjourned until to morrow morning at eleven o'clock

Thursday February 14th 1856

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable	Roger B Taney	Chief Justice
	John McLean	
	James M Wayne	
	John Catron	associate
	Peter V Daniel	Justices
	Saml Nelson	
	Robt C Grier	
	Benj R Curtis	
	John A Campbell	
Jonah D Hoover	Esquire	Marshal
William Thomas Carroll		Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr A P Stanton - it is ordered that John F Brady Esquire of Kansas and Samuel Caruthers Esquire of Missouri be admitted to practice as attorneys and counsellors of this Court and they were severally sworn accordingly

61 Dred Scott-plff in er
vs
John F A Sanford

The argument of this cause was concluded by Mr Blair of counsel for the plaintiff in error

62 Richard C Stockton appt
vs
Ames C Ford

This cause was submitted to the Court on the record and printed arguments by Messrs Cowdry Stinson and Stockton for the Appellant and by Mr Duncan of counsel for the Appellee

142 William Stacis adm-plff
vs
Charles H Peaslee

The argument of this cause was commenced by Mr Grosvenor of counsel for the plaintiffs and continued by Mr Gillet of counsel for the defendant

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock

32 [illegible]

Friday February 15th 1856

Pursuant to adjournment the court met this morning at the Capitol

Present

The Honorable	Roger B Taney	Chief Justice
	John McLean	
	James M Wayne	
	John Catron	associate
	Peter V Daniel	Justices
	Sam'l Nelson	
	Robt C Grier	
	Benj R Curtis	
	John A Campbell	
Jonah D Hoover	Esquire	Marshal
William Thomas	Carroll	Clerk

Proclamation being made the Court is opened

On motion duly made to the Court in this behalf by Mr Laurence - it is ordered that H. B Hebb Esquire of the District of Columbia be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

Mary Ann Connor alias. Mr Laurence of
Mary ann Van Nes. — } Counsel for the
121 vs Plff in er defendant in error
Saml A Pugh's Lessee moved the Court
to dismiss this
writ of error upon the ground that the
said writ of error is not taken to a final
judgment therein but is an interlocutory
judgment upon a motion addressed to
and within the sound discretion of the
Court below — Whereupon it is ordered by
the court that this motion be and the
same is hereby set down for argument
next Friday the 22d instant and that
notice thereof be given to the counsel for
the plaintiff in error.—

Israel Kinsman et al Mr Gifford of Counsel
66 vs appt — for the appellee
Stephen R Barthurst moved the court to
dismiss this appeal
which was opposed by Mr Keller of Counsel
for the appellant — Whereupon this Court
not being now here sufficiently advised of
and concerning what order to render in

the premises both here to consider

Jonathan Crockett et al
95 Vs Libelts appts
The Steamboat Isaac
Newton, Isaac Newton
Claimant

and

Augustus Lora Libelt
97 Vs appt
The Steamboat Isaac
Newton Saml Crew
Claimt

Mr Benedict having filed and read in open court the following stipulation of the counsel of the respective parties in these causes hereto:-

"These two causes having been heard together in the Court below on reading and filing a consent signed by the Proctors for the respective parties and on motion of E C Benedict advocate for the appellant Crockett - it is ordered that the above causes be argued together in this Court when the case wherein Lora is appellant is reached upon the Calendar.-

And on a like motion it is further ordered that the record in the case of Crockett appellant be amended by striking out from said record the testimony now therein

and inserting the testimony in the record of Lord appellant - and that both causes be heard and decided on the same testimony as is reported in the record of both causes. It is ordered that the above rule be entered

February 1. 1856

Henry B Cowles
Pr for Claimt and appellee
Wm M Evarts
adv for appellant Lord
Goodrich, Smith and Goodrich
Pros for appt Crockett that
moved the Court that a rule be entered accordingly. On consideration whereof it is now here ordered by the Court that the rule be and the same is hereby entered in these causes pursuant to the aforesaid stipulation

William Starr et al. The argument of this
1102 vs Jeffs . cause was continued
Charles H Peaslee by the Illness of Counsel for the defendant

and concluded by the Surviving of Counsel for the plaintiff

Samuel Hall Plaint in Error of the Bank of Wyoming Appt

63 vs

Wm M Peck et al Defendants

This cause was submitted to the Court on the record by Mr Benjamin of Counsel for the appellant and argued by Mr J P Hunter of Counsel for the appellees

James L Randolph Plaintiff in Error

64 vs

Thomas Davis admr

The argument of this cause was commenced by Mr Cox of Counsel for the plaintiff in error continued by Mr H Winter Davis of Counsel for the defendant in Error and concluded by Mr Cox for the plaintiff in error

Proclamation being made the Court is adjourned until to-morrow morning at eleven o' clock

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Roger B Taney Chief Justice
John McLean
James M Wayne
John Catron Associate
Peter V Daniel Justices
Samuel Nelson
Robert C Grier
Benj R Curtis
John A Campbell

Josiah D Hoxie Esquire Marshal
William Thomas Carmi Clerk

Proclamation being made the Court was opened

On motion first made to the Court in this behalf by Mr Gillet - it is ordered that Milton Andrus Esquire of Massachusetts be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly

New York & Cumberland Rail Road Company
65 vs
John G Myers

The argument of this cause was commenced by Mr Shipley of Counsel for the plaintiff in error and continued by Mr Smith of Counsel for the defendant in error

Proclamation having made the Court is adjourned until tomorrow morning at eleven o'clock

Pursuant to adjournment the Court met this morning at the capitol

Present

The Honorable Roger B Taney Chief Justice
John McLean
James M Wayne
John Catron Associate
Peter V Daniel Justices
Saml Nelson
Robt C Grier
Benj R Curtis
John A Campbell
Josiah L Orme Esquire Marshal
William Thomas Carroll Clerk

Proclamation being made the Court is opened

John Ren Ex Exrs: James F Murray and John C Rayner plff
54 vs
The Hoboken Land and Improvement Company

On a motion for a division of opinion between the Judges of the Circuit Court of the United States for the District of New Jersey

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of New Jersey and on the points & question on which the Judges of the said Circuit Court were opposed in opinion and which were certified by this Court for its opinion agreeably to the act of Congress in such case made and provided and was argued by Counsel - On consideration whereof it is the opinion of this Court that the said warrant of distress in the special verdict mentioned and the proceedings thereon and anterior thereto under which the defendants claim title are sufficient in law the Constitution of the United States and the law of the land to pass and transfer the title and estate of the said Swartwout in and to the premises in question as against the lessee of the plaintiff - and that this opinion on the third point or question certified under any opinion on the first and second questions certified unnecessary - Whereupon it is now here ordered and adjudged by this Court

that it be so certified to the said Circuit Court accordingly

Per Mr Justice Curtis

55 John Law vs Benj: Jones & Wm Murray and John C Kuyper

In a certificate of division in opinion between the Judges of the Circuit Court of the United States for the District of New Jersey

Hoboken Land and Improvement Company

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of New Jersey and on the points & questions on which the Judges of the said Circuit Court were opposed in opinion and which were certified to this court for its opinion agreeably to the act of Congress in such case made and provided and was argued by counsel - On consideration whereof it is the opinion of this court that the said warrant of distress in the special record mentioned and the proceedings thereon and anterior thereto

under which the defendants claim title are sufficient under the constitution of the United States and the law of the land to pass and transfer the title and estate of the said Scarborough in and to the premises in question as against the lessors of the plaintiff- and that his opinion on the third point or question certified renders any opinion on the first and second questions certified unnecessary- Whereupon it is now here ordered and adjudged by this court that it be so certified to the said Circuit Court accordingly

Mr Justice Curtis

William Lum Ex dem: William P Scatchard & others Plaintiffs in Error

56

vs

Edson Suckley and Mary Suckley

Defendants

On a certificate of division in opinion between the Judges of the Circuit Court of the United States for the District of New Jersey

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District

of New Jersey and on the points & questions on which the Judges of the said Circuit Court were opposed in opinion and which were certified to this Court for its opinion agreeably to the act of Congress in such case made and provided and was argued by Counsel. On consideration whereof it is the opinion of this Court that said warrant of distress in the special verdict mentioned and the proceedings thereon and anterior thereto under which the defendants claim title are sufficient under the Constitution of the United States and the laws of the land to pass and transfer the title and estate of the said Lambert in and to the premises in question as against the lessors of the plaintiff and that this opinion on the third point & question certified unnecessary. Whereupon it is now ordered and adjudged by this Court that it be so certified to the said Circuit Court accordingly

per Mr Justice Curtis

52 John G Shields - Appt
vs
Isaac Thomas & Mary his wife Nancy Pickle John B Goodbury Thomas Hanks and Elizabeth his wife and James Pickett and Ann his wife

Appeal from the District Court of the United States for the Northern District of Iowa

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of Iowa and was argued by Counsel - On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said District Court in this cause be and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar decrees bear in the Courts of the State of Iowa

Per Mr Justice Daniel

Syed Sarguac-Hoffman } In Banco &
31 vs } Counsel for the
Abraham Garrison } plaintiff in Error
moved the Court
for Leave to the Clerk to issue a mandate
in this cause forthwith - or consideration
whereof it is now here ordered by the
Court that the leave prayed in behalf
the same is hereby granted

Israel Kneeriem et al. } On consideration
66 vs } Appt. of the motion made
Stephen R Parkhurst } by Mr Gifford to
dismiss this ap-
- peal on a prior day of the present term
hereof; on Friday the 15th instant
and of the arguments of counsel thereupon had as well against as in support
thereof it is now here ordered by this
Court that the said motion be and the
same is hereby overruled

The York and Cumberland Rail Road Company
65 vs plaintiff in
John G. Myers
error

The argument of this cause was concluded by Mr Clifford of Counsel for the plaintiff in

Proclamation being made the Court is adjourned until tomorrow morning at eleven oclock

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Roger B Taney Chief Justice
John M'Lean
James M Wayne
John Catron associate
Peter V Daniel Justices
Sam'l Nelson
Robt C Grier
Benj R Curtis
John A Campbell
Jonah D Hoover Esquire Marshal
William Thomas Carroll Clerk

Proclamation being made the Court is opened

Israel Kinsman etal
vs appts
Stephen R Bonkhurst

The argument of this cause was commenced by Mr Stillé of Counsel for the appellant and continued by Mr Gifford of counsel for the appellee

66

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable	Roger B Taney	Chief Justice
	John McLean	
	James M Wayne	
	John Catron	associate
	Samuel Nelson	Justices
	Robert C Grier	
	Benj R. Curtis	
	John A Campbell	
Jonah D Hoover	Esquire	Marshal
William Thomas	Carroll	Clerk

Proclamation being made the Court is Opened

On motion first made to the the Court in this behalf by Mr Keller - it is ordered that Horace E Smith of New York be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

On motion first made to the Court in this behalf by Mr Geyer - it is ordered

that Lucian Barbour Esquire of Indiana be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

Israel Kneeland et al		The argument of
66	vs appts	this cause was con-
Stephen R Pankhurst		-cluded by Mr Keller
		of counsel for the
appellant		

John Hilskis Executor et al		The argument of
67	vs pffs in er	this cause was com=
David Allen et al		=menced by Mr Hill-
		=ains of counsel for
the plaintiffs in error		

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Roger B. Taney, Chief Justice
John McLean
James M Wayne
John Catron associate
Samuel Nelson Justices
Robert C Grier
Benj R Curtis
John A. Campbell
Jonah D Hoover Esquire Marshal
William Thomas Carroll Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr Laurence - it is ordered that John G Voss Esquire of New York be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

Mary Ann Connor alias Mary Ann Van-Ness = plaintiff in er
121 vs
Samuel A Pugh's Lessee

The motion to dismiss this writ of error was argued by Mr Lawrence of Counsel for the defendants in error in support of the motion. Whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider

John Wilkins Exrs et al. The argument of
67 vs Jeffs in er. this cause was
David Allen et al. Continued by
. Mefrs Crittenden and Loomis of Counsel for the defendants in error and concluded by Mr Williams of counsel for the plaintiffs in error

Proclamation being made the Court is adjourned until Monday Morning at eleven o'clock

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable	Roger B Taney	Chief Justice
	John McLean	
	James M Wayne	
	John Catron	associate
	Peter V Daniel	Justices
	Samuel Nelson	
	Robert C Grier	
	Benj R Curtis	
	John a Campbell	
Jonah D Hoover	Esquire	Marshal
William Thomas Carroll		Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr Mason - it is ordered that J C Hall and H J Reid Esquires of Iowa be admitted to practice as attorneys and counsellors of this Court and they were severally sworn accordingly

William D Null Exor. &c. Error to the Circuit
of Alexander Hunter Court of the United
57 do. vs. Pltffs Cr. States for the District
Philip H Minor . of Columbia holden
. in and for the County
of Washington

This cause came on to be heard
on the transcript of the record from the
Circuit Court of the United States for
the District of Columbia holden in and
for the county of Washington and was ar-
-gued by counsel— On consideration where-
-of it is now here ordered and adjudged
by this Court that the judgment of the
said Circuit Court in this cause be
and the same is hereby affirmed with
costs and interest until paid at the
same rate per annum that similar
judgments bear in the courts of the
District of Columbia

per Mr Justice Catron

The State of Missouri Compt

vs

The State of Iowa Bill

and and

The State of Iowa Compt Cross Bill

vs

The State of Missouri

Whereas after the decree ordered by this Court in this Case on the 3d January 1851 imposing certain duties on the Commissioners William G Minor and Henry B Hendershot bearing date the 25th August 1851 James L Minor was appointed a commissioner in the place of the said William G Minor deceased and it appearing to the court that the said James L Minor has never made any report of the manner in which he performed the duties imposed on the commissioners by said decree It is thereupon now here ordered by the court that the Clerk forward to the said James L Minor a copy of the report of Henry B Hendershot filed on the 29th December

1851 and a copy of the order appoint-
-ing him said James Lemoine a commission-
-er and also that the clerk enquire of him
whether he accepted said appointment
and if so to require him to act accord-
-ingly

Euphrosine Fourcroyne etal. The argument
68 vs appts. of this cause
The City of New-Orleans. was commenced
by Mr Lewis of
counsel for the appellants, continued by Mr
Janin of counsel for the appellee and by
Mr Taylor of counsel for the appellants

James C Converse admr of. This cause was
Philip Greely dec'd. submitted to the
141 vs Jeff'n &c. Court on the record
Benjamin Burgess & Son and printed ar-
-guments by Mr
Attorney General Cushing of counsel
for the plaintiff in error and by Mr
Andros of counsel for the defendant in
error

Proclamation being made
the court is adjourned until to-
-morrow morning at eleven o'clock

Tuesday February 26th 1856

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable	Roger B Taney	Chief Justice
	John McLean	
	James M Wayne	
	John Catron	associate
	Peter V Daniel	Justices
	Samuel Nelson	
	Robert C Grier	
	Benj R Curtis	
	John A. Campbell	
Josiah S Hoover	Esquire	Marshal
William Thomas	Carroll	Clerk

Proclamation being made the Court is Opened

On motion first made to the Court in this behalf by Mr Gillet – it is ordered that Jesse I Austin Esquire of Massa – chusetts be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

The Ohio and Cumberland Rail Road Company
65 vs
Jeffries & John G Myers

In Error to the Circuit Court of the United States for the District of Maine

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Maine and was argued by counsel — On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Maine

per Mr Justice Campbell
Dissenting Mr Justice Daniel

Isaac Kinsman and Calvin L Goddard – Appts 66 vs Stephen R Gilbert – Respt York.	Appeal from the Circuit Court of the United States for the Southern District of New

This Cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York and was argued by Counsel – On consideration whereof it is now here ordered adjudged and decreed by this court that the decree of the said Circuit Court in this Cause be and the same is hereby af-firmed with costs and interest until paid at the same rate per annum that similar decrees bear in the Courts of the State of New York

per Mr Justice Curtis

Samuel Hard, Claimt of the Barque Morang		Appeal from the Circuit Court of the United States for the Eastern Dist- -rict of Louisi- -ana
63	vs	
William McPeak Jacob Badger, Freeman Keighly and Humphrey Devereux Libellants	Appts	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Louisi- -ana and was argued by counsel

On consideration whereof it is now ordered, adjudged and decreed by this Court that the decree of the said Cir- -cuit Court in this cause be and the same is hereby affirmed with costs

per Mr Justice Grier

Mr Justice Daniel - Dissenting

Mr Justice Catron did not sit in this cause

John Doe ex dem: James B McCall & Henry Mc Call and Mary Sidney McCall vs Jeffries Hilland Carpenter and John a Reitz	In error to the Circuit Court of the United States for the District of Indiana

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the district of Indiana and was argued by Counsel - On consideration whereof it is now here ordered and adjudged by this court that the judgment of the said Circuit Court in this cause be and the same is hereby reversed with costs and that this cause be and the same is hereby remanded to the said Circuit Court with directions to award a venire facias de novo

per Mr Justice Nelson

Dissenting Mr Justice Campbell &
Mr Justice Daniel

Mr Justice Curtis apprehending that one of his connections is interested in the subject

matter of this case did not sit therein.

64 James L. Ranson - appt
vs
William Irvin Isabella Davis admx of Thomas J Davis decd

Appeal from the Circuit Court of the United States for the District of Columbia holden in and for the County of Washington

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Columbia holden in and for the County of Washington and was argued by Counsel - On Consideration whereof it is now here ordered adjudged and decreed by this court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with Costs.

for the District of Columbia

70 William C. Pugh - appt
vs
Jonathan S. Niles, James M. Niles, Leander H. Corey, Stephen Allen and Charles H. Smith partners under the style of Niles & Co

appeal from the Circuit Court of the United States for the Eastern District of Louisiana

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Louisiana and it appearing to the Court from a statement of the counsel for the appellant that the matters in controversy in this cause had been agreed and settled between the parties - it is thereupon now here ordered adjudged and decreed by this Court that this cause be and the same is hereby dismissed with costs

per Mr Chief Justice Taney

Mary Ann Connor alias Mary Ann Vannest
121 vs Jeffries
Samuel A Pugh's Lessee

It is now here ordered by this Court that the motion or rule to dismiss this cause be and the same is hereby set down for argument on Friday the 4th of April next and that notice hereof be given to the Counsel on both sides.—

Daniel Sowle use Jeffries
9 vs
The State of Maryland use &c

On the motion of Mr Johnson of Counsel for the defendant it is now here ordered by the Court that this cause be and the same is hereby set down for argument on Tuesday the first day of April next

Maria de la Solidad Ortega de Arguello et al
77 vs
The United States
and

Maria de la Solidad Ortega de
appts

The United States - appts.
78 vs
Maria de la Solidad Ortega
de Arguello et al

It is ordered by the court that three hours be allowed the Counsel for the opening argument in these cases that three hours be allowed the Attorney General for his reply and that two hours be allowed the counsel of the appellants for the conclusion. -

Euphosine Fourcigne et al. vs appts. The City of New Orleans
68 . The argument . of this cause . was concluded . by Mr Taylor of Counsel for the appellants

Conrad & McRae - pff in er. vs
69 Jonathan S Hiles et al . This cause was submitted to the . Court on the record and printed brief by Mr Benjamin of Counsel for the defendants in error

Tuesday February 26th 1856 Continued 3309

Proclamation being made the
Court is adjourned until Thursday
morning at eleven o'clock

Thursday February 28th 1856

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Roger B Taney Chief Justice
John McLean
James M Wayne
John Catron associate
Peter V Daniel Justices
Samuel Nelson
Robt C Grier
John A Campbell

Enoch D Hoover Esquire Marshal
William Thomas Carroll Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr F P Stanton - it is ordered that Dennis McMahon Esquire of New York be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

59 John S Orton — Appt. } Appeal from the
vs } District Court
George Smith } of the United
} States for the
District of Wisconsin.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Wisconsin and was argued by Counsel — On Consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said District Court in this cause be and the same is hereby reversed with costs and that this cause be and the same is hereby remanded to the said District Court with directions to dismiss the Bill of Complaint but without prejudice

per Mr Justice Grier

62	Richard C Gootkin - appt vs James C Ford	appeal from the Circuit Court of the United States for the Eastern District of Louisiana

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Louisiana and was argued by counsel - On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with Costs

per Mr Justice Nelson

69	Chas H McRae - plff in error vs Jonathan Niles, James M Niles, Stephen Allen, Leander H Carey, Charles W Smith and Samuel H Gilman, partners under the name & Style of Niles & Co	In error to the Circuit Court of the United States for the Eastern District of Louisiana

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Louisiana and was argued by Counsel — On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this Cause be and the same is hereby affirmed with Costs and damages at the rate of ten per centum per Annum until paid

Per Mr. Chief Justice Taney

Proclamation being made the Court is adjourned until Tuesday the first day of April next at eleven o'clock A.M.—

83111 Tuesday April 1st 1856

Pursuant to adjournment the court met this morning at the Capitol

Present

The Honorable Roger B Taney Chief Justice
James M Wayne
Peter V Daniel
Samuel Nelson
Robt C Grier
Benj R Curtis
John a Campbell

Jonah D Hoover Esquire Marshal
William Thomas Carroll Clerk

Proclamation being made the court is adjourned

Archibald Douglass et al		This cause having
71	vs appls	been called for
John a Rowans Exrs et al		argument and Mr Nelson of Counsel

for the appellees suggesting that the parties were about compromising and settling the same – It is thereupon now hereordered by the Court that this cause be and the same is hereby postponed to the foot of the docket

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock

Wednesday April 2d 1856

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable	Roger B Taney	Chief Justice
	John McLean	
	James M Wayne	
	John Catron	Associate
	Peter V Daniel	Justices
	Samuel Nelson	
	Robert C Grier	
	Benj R. Curtis	
	John Campbell	
Josiah D Hoover	Esquire	Marshal
William Thomas Carroll		Clerk

Proclamation being made the Court is opened

Daniel South et al vs Defendants in Error
The State of Maryland use of Jonathan W Pottle

The argument of this cause was commenced by Mr Nelson of Counsel for the plaintiffs in Error continued by Messrs Dobbyn & Revedy Johnson of Counsel for the defendant in error and concluded by Mr Nelson for the plaintiff in error

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock

Thursday April 3d 1856

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Roger B Taney Chief Justice
John McLean
James M Wayne
John Catron Associate
Peter V Daniel Justices
Samuel Nelson
Robert C Grier
Benj R Curtis
John A Campbell
Josiah D Hoover Esquire Marshal
William Thomas Carroll Clerk

Proclamation being made the Court is opened

72 Amaron Ledoux et al pltffs in Er vs John Black et al

The argument of this cause was commenced by Mr Carlisle of counsel for the plaintiffs in error continued by Mr Benjamin of counsel for the defendants in error and concluded by Mr Badger of counsel for the plaintiffs in error

Merchant and Traders Bank - Transh of the State Bank of Ohio - plffs in Er	These causes were submitted to the consideration
73 vs	of the Court on the record and
Henry Lebold late Treasurer &c	printed arguments
and	by Wm Perry
Merchant and Traders Bank - Transh of the State Bank of Ohio - plffs in Er	and Harding of Counsel for the plffs in error
74 vs	and by Mr Pugh
Charles Thomas Treasurer &c	of Counsel for the
defendants in error	
Theodore Adams et al Trustees &c - plffs in Er	This cause was
75 vs	argued by Mr
Jotham Salisbury et al Trustees &c	Austin of Counsel for the defendants in error

Proclamation being made the Court is adjourned until tomorrow morning at eleven oclock

Friday April 4th 1856

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Roger B Taney Chief Justice
John McLean
James M Wayne
John Catron Associate
Peter V Daniel Justices
Samuel Nelson
Robert C Grier
Benj R Curtis
John Campbell
Enoch L Moore Esquire Marshal
William Thomas Carroll Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr Adams – it is ordered that George S Yerger Esquire of Mississippi be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

4 The Commonwealth of Massachusetts
vs Compt
The State of Rhode Island
Providence Plantations
In Equity

This cause being now at issue by the filing of a general replication on this 4th day of the adjourned term: On motion of the complainants Counsel and with the consent of the respondents Counsel it is ordered by the Court—

That Ezra Lincoln Esquire of Boston in the Commonwealth of Massachusetts and George S Greene Esquire of Providence in the State of Rhode Island be appointed Surveyors to run such lines as either party may require

That Joseph S Pitman Esquire of Providence aforesaid and Joshua C Stone Esquire of New Bedford in said Commonwealth of Massachusetts be appointed Commissioners to take depositions to be be used by either party in this cause upon application

by either party to either of said Commissioners upon due and reasonable notice to be given by such commissioners to the adverse party of the time and place of taking the same

That the parties be allowed until the first day of November in the year 1857 within which to make the surveys and to take the testimony to be used at the hearing

And that on or before the first day of April 1858 the Counsel of the respective parties shall furnish to each other a copy of all the proofs documents and exhibits upon which they intend to rely at the hearing.—

But that copies of all the documents annexed to and made parts of the bill and answer may be used at the hearing by either party without further proof or authen-
=tication

Theodore Adams et al Trustees &c. In Error to
75 vs Plffs in Er. the District
Witham Salisbury et al Trustees &c Court of
the United
States for the Northern District of Califor-
-nia

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of California and the plaintiffs in error having been three times solemnly called by the Marshal to come into Court and prose-cute this writ of error and failing to appear — it is thereupon on the motion of Mr Austin of counsel for the defendants in error now here ordered and adjudged by this Court that this cause be and the same is hereby dismissed with costs

for the Chief Justice Taney

Friday April 4th 1856 Continued

Mary Ann Conner alias Mary ann Van Nest 121 Vs pff in Er Samuel A Pennybacker in support thereof and in opposition thereto	The motion to dismiss this writ of error was argued by Messrs Laurence & Bradley by Mr Brent in
The Lafayette Insurance Company - pff in Er 76 Vs Maynard French etal	Mr Gillet of Counsel for the pluintiff in Error now here suggested the death of Thomas B. Fire

one of the defendants in error and the last continuance of this cause - On consideration whereof it is now here ordered by the court that the said counsel have leave to prosecute this writ of error against Maynard French and Edward K Thorp the surviving defendants in error and that the said summons be and they are hereby made the defendants in error in this cause

76 The Lafayette Insurance Company — plff in Er vs Maynard Burk & Edward K Strong

This cause was argued by Mr Gillet of counsel for the plaintiff in Error and submitted on a printed argument by Mr Whitcomb of counsel for the defendants in error

Proclamation being made the court is adjourned until Monday morning at eleven oclock

Monday April 7th 1856

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable	Roger B Taney	Chief Justice
	John McLean	
	James M Wayne	
	John Catron	Associate
	Peter V Daniel	Justices
	Samuel Nelson	
	Robt C Grier	
	Benj R Curtis	
	John A Campbell	
Jonah D Hoover	Esquire	Marshal
William Thomas Carroll		Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr Reverdy Johnson - It is ordered that J Jeackle Hallis and John H Thomas Esquires of Maryland be admitted to practice as attorneys and counsellors of this Court and they were severally sworn accordingly

Euphrosine Fourcigne et al — appts

68 vs

The Municipality No 2 of the City of New Orleans et al

appeal from the Circuit Court of the United States for the Eastern District of Louisiana

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Louisiana and was argued by Counsel - On consideration whereof it is now here ordered adjudged and decreed by this court that the decree of said Circuit Court in this cause be and the same is hereby affirmed with Costs

for Mr Justice Campbell

John Wilkins Enard, and Francis G Bailey, Joseph Pennock, & Louis Bailey, Exrs of Wm Bailey deceased

67 vs plffs in error

David Allen, Arthur Allen, Catherine Allen, and Isabella Allen,

In error to the

Circuit Court of the United States for the Western District of Pennsylvania

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Pennsylvania and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs

per Mr Justice Catron

Michael Allen's Exrs Pltf in Er
vs
David Allen et al Defts in Er

Wm Em Stanton of counsel for the defendants in Error having suggested to the Court a diminution of the record filed in this case in this to wit: "That the judgment rendered by the said Circuit Court in this case is omitted" now here moved the Court for a writ of certiorari to the said Court to supply said omission. On consideration whereof

= of it is ordered by the Court that a writ of certiorari be and the same is hereby awarded to be issued forth= = with and to be directed to the judges of the said Circuit Court commanding them to certify under the seal of the said Circuit Court the said omission in this case and return the same with the said writ of certiorari forthwith to this Court

Per Mr Chief Justice Taney

77

Maria de la Soledad Ortega de Arguello &c &c Appts.
vs
The United States
and
The United States - appts.
vs
Maria de la Soledad Ortega de Arguello &c &c

The argument of this cause was commenced by Mr H. G. Jones of counsel for the claimants and continued by Mr Gillet of counsel for the United States

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Roger B Taney Chief Justice
John McLean
James M Wayne
John Catron Associate
Peter V Daniel Justices
Samuel Nelson
Robert C Grier
Benj R Curtis
John Campbell
Jonah D Hoover Esquire Marshal
William Thomas Carroll Clerk

Proclamation being made the Court is opened

53 Stage & Dodge - appts. vs John M Horsley - | Appeal from the Circuit Court of the United States for the District of Ohio

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States

for the District of Ohio and was ar-
-gued by Counsel — On considera-
-tion whereof it is now here ordered ad-
-judged and decreed by this Court that
the decree of the said Circuit Court
in this cause be and the same is here-
-by affirmed with costs

per Mr Justice Wayne

Dissenting — Justices Campbell, Daniel, Nelson

White Stevens & Co	It is now here ord-
3 vs pltffs in er-	-ed by the Court
Paschal Rose adm	that this Cause be
	and the same is

hereby continued to the next term of this Court

Maria de la Soledad Arteaga de Arguello	
et al —	Claimants & appellants
77	vs
	The United States
	and
	The United States — appts
78	vs
Maria de la Soledad Arteaga de Arguello et al Claimt	

The argument of these causes was con=
=tinued by Mr Elliot of counsel for the
United States

Proclamation being made the Court
is adjourned until tomorrow morning
at eleven oclock

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable	Roger B Taney	Chief Justice
	John McLean	
	James M Wayne	
	Peter V Daniel	Associate
	Samuel Nelson	Justices
	Robert C Grier	
	Benj R Curtis	
	John A Campbell	
Jonah D Hoover	Esquire	Marshal
William Thomas	Carroll	Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr Badger - it is ordered that Clinton Rix Esquire of New-York city be admitted to practice as an attorney and Counsellor of this Court and he was known accordingly

Ex parte: In the Matter of William Wells. — On petition for a writ of Habeas Corpus

On consideration of the petition filed in this case on a prior day of the present term herein On Friday the 7th day of December last and of the arguments of counsel thereupon had, as well in support of, as against the prayer of said petitioner — It is now here ordered and adjudged by this Court that the said petition be denied and that the same be and hereby is dismissed

per Mr Justice Wayne

Dissenting — Justices, Curtis & Campbell & the jurisdiction of this Court — and Mr Justice McLean to the judgment of the Court.

Euphrasine Fourcroy } On the motion of
vs } Appts.
The City of New Orleans et al } Mr Janin (for Mr Badger) of Counsel for the appellees — It is ordered that the Clerk may issue a writ of procedendo during the present term

	Maria de la Soledad Ortega de Arguello &c - Clt. Appt	The argument of these causes was continued by Mr Gilbert of Counsel for the United States and by Mr Jones of Counsel for the claimants
77	vs	
	The United States. —	
	and	
	The United States - Appts	
	vs	
	Maria de la Soledad Ortega de Arguello &c - Clt.	

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock

Thursday April 10th 1856

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable	Roger B Taney	Chief Justice
	John McLean	
	James M Wayne	
	John Catron	Associate
	Peter V Daniel	Justices
	Samuel Nelson	
	Robert C Grier	
	John A Campbell	
	Josiah D Hoover	Esquire Marshal
	William Thomas Carroll	Clerk

Proclamation being made the Court is opened.

Mary Ann Connelly alias Mary Ann Van Ness Executrix &c — plff in Er

vs

Francis A Bright's Lessee — Defts in Er

121

In error to the Circuit Court of the United States for the District of Columbia holden in and for the County of Washington

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Co-

-lumbia holden in and for the County of Washington and was argued by Counsel On consideration whereof it is now ordered and adjudged by this Court that this Cause be and the same is hereby dis-missed with costs

Per Mr Justice Grier

	Maria de la Soledad Ortega de Arguello et al Claimants-appts	The argument of this cause was concluded by the
77	vs	Jones of Counsel
	The United States	for the claimants
	and	
	The United States-appts	
78	vs	
	Maria de la Soledad Ortega de Arguello et al Claimants	
	William Thomas et al owners of the barque Laura-appts	The argument of this cause was commenced by Mr
79	vs	Brown of Counsel
	James U Osborn	for the appellants and

Continued by the Attorney of Counsel for the appellees

Proclamation being made the Court is adjourned until tomorrow morning at eleven oclock.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Roger B Taney Chief Justice
John M Lean
James M Wayne
John Catron Associate
Peter V Daniel Justices
Samuel Nelson
Robert C Grier
Benj R Curtis
John A Campbell

Jonah D Hoover Esquire Marshal
William Thomas Carroll Clerk

Proclamation being made the Court is opened.

David A Leconte, William L Sawed, John Rollins, James Buchanan, Orin W Fiske, Charles A Simson, Roswell F Russell, Benjamin Parker, Edward Shippen, Charles Brown, John M Burham, William Hall, E F King, Schuyler North, Sumner A Barnham, Charles J Stearns, James L Gilbert, Enlist

A Dorr, Herman Jenkins Jr, Eli & Jones, Silas Jenkins, Samuel Estes, Elijah Moulton & Smith, M Phillips, N B Fish, and William Hanson. plaintiffs in error

217 vs

Franklin Steele

In Error to the Supreme Court of the Territory of Minnesota.

Mr Sargent of counsel for the defendant in error having filed and read in open court in the above entitled cause the writ of error and the citation with a transcript of the record from the Supreme Court of Minnesota thereto annexed and having stated on behalf of said Franklin Steele named in the said record as the Complainant in the said Supreme Court and in said Citation named as the defendant in error in a cause in said Court decided wherein the parties above named as plaintiffs in error appear from said record to have been all the parties described in said writ of error as David & Seconde that" and having stated

that the plaintiffs in Error had either failed to file the record of said cause in this Court or in any way to prosecute their said writ of error – Whereupon moved the Court in pursuance of the 63d rule of this court to have this writ of error dismissed and dismissed –

On consideration whereof it is now here ordered and adjudged by this Court that this writ of error to the Supreme Court of the Territory of Minnesota be and the same is hereby dismissed and dismissed with costs and that this cause be and the same is hereby remanded to the said Supreme Court for further proceedings to be had therein in conformity to law and justice the said writ of error notwithstanding

per Mr Chief Justice Taney

79

William Thomas claimant of the barque Sarah – appellant

vs

James A Osborn

The argument of this cause was continued by Messrs Thomas and Wallis for the appellees and

Friday April 11th 1856 Continued

concluded by Mr Dunn of counsel for the appellants.—

Proclamation being made the Court is adjourned until Monday morning at eleven o'clock—

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable	Roger B Taney	Chief Justice
	John McLean	
	James M Wayne	
	John Catron	Associate
	Peter V Daniel	Justices
	Samuel Nelson	
	Robert C Grier	
	Benja R Curtis	
	John Campbell	
Josiah D Hoover	Esquire	Marshal
William Thomas	Esquire	Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr Tillet it is ordered that James C Carter Esquire of New York City be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

	The New York and Virginia Steamship Company owners of the Steamer Roanoke	Appeal from the Circuit Court of the United States for the Southern District of New-York
138	vs Appts	
	George Hotchkiss Libt	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York and on the motion of Mr Curtis of Counsel for the Appellants stating that the matter in controversy in this case had been argued and settled between the parties and with the assent of Mr Clarke of Counsel for the appellee - On consideration whereof it is now here ordered and decreed by this Court that this cause be and the same is hereby dismissed with Costs

Jno McPherson Clerk

S. W. Goslee Master owner of Steamboat Autocrat

vs appts.

Freedom State Ins. Co. Master of Steam. Magnolia

The argument of this cause was Commenced by Mr Sargeant of Counsel for the appellants and continued by Mr Benjamin of Counsel for the appellees

80

Proclamation being made the Court is adjourned until tomorrow morning at ten o'clock

Tuesday April 15th 1856

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Roger B Taney Chief Justice
John McLean
James M Wayne
Jno Catron
Peter V Daniel
Samuel Nelson
Robt C Grier
Benj R Curtis
Jno A Campbell
} Associate Justices

Jonah D Hoover Esquire Marshal
William Thomas Carroll Clerk

Proclamation being made the Court is opened

No. 80

Jno. Gaslin claimant of Steamboat Autocrat appt.
vs
Theodore Shute, Claimt. of Steamer Magnolia

The argument of this cause was concluded by Mr Crittenden of Counsel for the appellants

81	Alexander Livingston et al vs Jeff Roger Stewart	This cause was argued by Mr Phillips of Counsel for the plaintiffs

and submitted to the Court in behalf of the defendant on a printed argument by him

82	John Lowe et al - Appts vs William Robertson et al	The argument of this cause was commenced by Mr Wharton of

Counsel for the appellants

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock

Wednesday April 16th 1856

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable	Roger B Taney	Chief Justice
	John McLean	
	James M Wayne	
	John Catron	Associate
	Peter V Daniel	Justices
	Samuel Nelson	
	Robert C Grier	
	Benj R Curtis	
	John A Campbell	
Clerk	A Koerr Esquire	Marshal
	William Thomas Carroll	Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr Cadwalader – it is ordered that Moses A Koerr Esquire of Pennsylvania be admitted to practice as an attorney and counsellor of this Court and he was known accordingly

John Frazer et al — appts		The argument of
82	vs	this cause was
William Robertson et al		continued by
		Mr Wharton for

the appellants - by Mr Cammack for the appellees and by Mr Cargo of counsel for the appellants

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock

Thursday 17th April 1856

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Roger B Taney Chief Justice
John McLean
James M Wayne
John Catron Associate
Peter V Daniel Justices
Samuel Nelson
Robert C Grier
Benj R Curtis
John Campbell

Josiah P Hoover Esquire Marshal
William Thomas Carroll Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr Stephen Campbell it is ordered that J Browning Esquire of New Jersey be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

	John Baron et al - Appts	The argument of
82	vs	this Cause was
	William Robertson et al	Concluded by Mr
		Kerger of Counsel
	for the appellants	

	The United States - pffs in Er	On the motion of
83	vs	Mr Attorney Genl
	George N. Stewart	Cushing of counsel

for the plaintiffs in error and with the assent of the Counsel for the defendant in error - It is now here ordered by the Court that this Cause be and the same is hereby post-poned to the foot of the docket

	The United States - pffs in Er	On the motion of
84	vs	Mr Attorney Gen
	Charles Le Baron	eral Cushing
		of Counsel for

the plaintiffs in error and with the assent of the Counsel for the defendant in error - It is now here ordered by the Court that this Cause be and the same is hereby postponed to the foot

of the docket.—

Richard S Hood et al
vs Appt
Alexander C. Davis

The argument of this cause was commenced by Mr H. J Campbell of counsel for the appellants, continued by Mr Carlisle of counsel for the appellee and concluded by Mr Browning of Counsel for the appellants

Proclamation being made the Court is adjourned until tomorrow morning at eleven oclock

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Roger B Taney Chief Justice
John McLean
James M Wayne
John Catron Associate
Peter V Daniel Justices
Joseph Story
Robert Trimble
Benj Rentzer
John A Campbell

Enoch L Lowe Esquire Marshal
William Thomas Contract Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr Reverdy Johnson it is ordered that J M Bailey Esquire of Louisiana be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

88 Romelius L Baker et al vs Apptes. Joshua Hatchitch

This cause having been called for argument and no counsel appearing ready to proceed with the same - It is upon now here ordered by the Court that this cause be and the same is hereby postponed to the foot of the docket under the 36th rule of this Court

89 The State Mutual Fire Insurance Company vs pff in Er Daniel H Connell et al

This cause having been called for argument and no counsel appearing ready to proceed with the same - It is thereupon now here ordered by the Court that this cause be and the same is hereby postponed to the foot of the docket under the 36th rule of this Court

90 Joshua R Stanford vs pff in Er Clay Taylor

This cause was argued by Mr Rowley counsel for the plaintiff in Error

91 Adam Ogilvie &c. vs Compt's The Knox Insurance Company &c. This cause was submitted to the Court on the record and printed arguments by Mr Sedah of counsel for the Complainants and by Mr Crawford of counsel for the defendants

92 The United States-Appl's vs Cruz Cervantes On the motion of Mr Jones of counsel for the appellee it is now here ordered by the Court that the time for the argument of this cause be extended one hour on each side

Proclamation being made the Court is adjourned until Monday morning at eleven o'clock

Monday - April 21st 1856

Pursuant to adjournment the court met this morning at the Capitol

Present

The Honorable	Roger B Taney	Chief Justice
	John McLean	
	James M Wayne	
	John Catron	Associate
	Peter V Daniel	Justices
	Samuel Nelson	
	Robert C Grier	
	Benj R Curtiss	
	John A Campbell	
Jonah D Hoover	Esquire	Marshal
William Thomas Carroll		Clerk

Proclamation being made the Court is opened

Daniel South, John W Stouffer, Jacob Fritz, Daniel Middlekauff sen and John a. K
9 Brewer vs Jeffs in Error
The State of Maryland use of Jonathan
H Pottle.

This cause came on to be heard

on the transcript of the record from the Circuit Court of the United States for the district of Maryland and was argued by Counsel - On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this Cause be and the same is hereby reversed with costs and that this Cause be and the same is hereby remanded to the said Circuit Court

per Mr Justice Grier

The Steamer Oregon Roger A Heeris, Master and part owner	Appeal from the Circuit Court of the United States
85 vs Appts.	for the Southern
Joseph & Francis Rocca	District of Alabama

It is now here considered by the Court that although it appears from the record that the decree of the Circuit Court in this Cause was entered "pro forma" yet that this Court has jurisdiction to try and determine the case -

Whereupon it is now here ordered by the Court that this Cause be and the same is hereby set down for argument next after the Case fixed for to-day

per Mr Chief Justice Taney

Dissenting Justices, Daniel & Catron

The Oregon, Roger A. Stein master and part owner	Appeal from the Circuit Court
86 vs appt	of the United States for the South-
Robert Turner et al	-ern District of

Alabama

It is now here considered by the Court that although it appears from the record that the decree of the Circuit Court in this Cause was entered "pro forma" yet that this Court has jurisdiction to try and determine the Case.

Whereupon it is now here ordered by the Court that this Cause be and the same is hereby set down for argument next after the Case fixed for to-day

per Mr Chief Justice Taney

Dissenting Justices Daniel & Catron

The State of Pennsylvania
102 Vs Compl.t
The Wheeling and Belmont Bridge Company- William Ottison & George Croft.-
Respondents

In Equity

This Court at a prior term towit: on 27th May 1852 having declared that the Bridge of the respondents was an obstruction to the navigation of the Ohio river and that it did a special damage to the Complainant and having decreed that the same should be altered as thereby directed or removed by the respondents- and the Complainant having subsequently moved this court for writs of sequestration and of attachment against the said respondents and also for a taxation of the costs decreed by this Court and for the process of this Court to enforce the payment thereof by the said respondents- And the Congress of the United States having by

an act passed on the 31st of August 1852 entitled "an act making appropriations for the service of the Post Office department during the fiscal year ending the 30th of June 1853 and for other purposes provided for the navigation of the said river as to be consistent with the maintainance of the said bridge – and the respective parties having been fully heard by counsel and after mature deliberation thereupon had by this Court it is now here considered and decreed by this Court that the said Motion for writs of assistance sequestration and attachment be and the same is hereby overruled and that the said be and they are hereby denied – And it is further considered and decreed by the Court that the said complainant do have and recover from the said respondents the costs of the said Complainant as decreed by this court on the aforesaid 27th day of May A.D. 1852 to be taxed by the Clerk, and that the said respondents do pay the same to the Complainant within ninety days from this date and that in default of such

payment that execution do issue therefor to be directed to the Marshal of the United States for the District of Columbia to enforce the same

per M. Justice Nelson

The State of Pennsylvania
vs. Complt. In Equity
The Wheeling and Belmont
Bridge Comp'y. Respdt.

This cause came on to be heard upon the Bill of Complaint, an order by the Honorable R. C. Grier an associate Justice of this Court on the 26th day of June granting an injunction as prayed for in the said Bill, and upon the motion by the Complainant for writs of assistance, sequestration and of attachment against the said respondent, and upon a motion by the respondent to dissolve the said injunction and was fully argued by counsel on both sides: Upon consideration whereof and after mature de-

- liberation thereupon had, it is now here ordered and decreed by this Court that the said motion by the said Complainant for writs of assistance, of sequestration and of attachment be and the same is hereby overruled, and that the said injunction so as aforesaid granted be and the same is hereby dissolved

per Mr Justice Nelson

127 Daniel Tod etal - Appt: vs Saml F. Hall etal Claimts of Steamboat Sultana &c

and

156 The Same — Appt: vs Charles M Reed

On consideration of the motion of Mr Haven it is now here ordered by the Court that these two cases be argued together when No 127 is reached

Mary Ann Conna alias &c the Heirs of Mr
Mary Ann Van Ness Lawrence of Counsel
121 vs for the defendant
Lessee of Sam'l J Pugh in error it is now
here ordered by
the Court that leave be and the same is
hereby granted the Clerk to issue a
mandate in this case during the present
term

The United States The argument of
92 vs Appl's this cause was com-
Cruz Cervantes -menced by Mr Attor-
-ney General Cush-
-ing' of Counsel for the -Appellants

Proclamation being made the
Court is adjourned until tomorrow
morning at eleven o'clock

Tuesday April 22d 1856

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable	Roger B Taney	Chief Justice
	John McLean	
	James M Wayne	
	Peter V Daniel	Associate
	Samuel Nelson	Justices
	Robert C Grier	
	Levi R Woodbury	
	John A Campbell	
Micah D Hoover	Esquire	Marshal
William Thomas Carroll		Clerk

Proclamation being made the Court is opened

92 The United States - Appts. vs Cruz Cervantes

The argument of this cause was continued by Mr H. C Lois of counsel for the appellee and concluded by Mr Attorney General Cushing of counsel for the appellants

Proclamation being made the
Court is adjourned until tomorrow morn-
-ing at eleven oclock

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Roger B Taney Chief Justice
" Wm Wilson
" James M Wayne Associate
" Samuel Nelson "
" Robt C Grier "
" Benj R Curtis "
" John A Campbell "
Enoch L Foore Esquire Marshal
William Thomas Carroll Clerk

Proclamation being made the Court is opened

Solomon Sibbetts &c } The argument of this
93 vs } Cause was commenced
Frederick L Sunda &c } by the Attorney of
counsel for the plaintiffs in error and continued by Messrs Carlisle and Bradley of counsel for the defendants in Error

Proclamation being made the Court is adjourned until to morrow morning at eleven o'clock

Pursuant to adjournment the
court met this morning at the Capitol
Present

The Honorable Roger B Taney Chief Justice
John McLean
James M Wayne
Peter V Daniel Associate
Samuel Nelson Justices
Robert C Grier
Benj R Curtis
John A Campbell

Jonah D Hoover Esquire Marshal
William Thomas Carroll Clerk

Proclamation being made the Court is opened

Solomon & Washington
93 vs
Frederick L Carradine & Co

The argument of
this cause was con-
cluded by Mr Geo[illegible]
Johnson of Counsel
for the plaintiffs in error

	The United States - Appt.	This cause was ar-
94	vs	-gued by Mr Attorney
	Jean Marie Lacoste	General Cushing of
	-ants and by Mr H. C.	counsel for the appel-
	the appellees	Jones of counsel for
	Gustavus J. Lamizard vs	The argument of this
96	vs Appt.	cause was commenced
	The City of New Orleans et al	by Mr Henderson of
		counsel for the appellant
	The Steamer Eagle,	On the motion of Mr
	Eagle & Fair master &	Phillips of counsel for
	part owner - Appts	the appellees - it is now
85	vs	here ordered by the Court
	Joseph Rowe et al	that this case be set
	and	down for argument
	The Steamer Eagle,	on next Monday week
	Eagle & Fair, master	the 5th May of Mr
	& part owner - Appts	Nelson is there will
86	vs	enough to proceed
	Robert Turner et al	and there is no

other case then under argument

Thursday April 24th 1856 continued 8369

Proclamation being made the court is adjourned until tomorrow morning at eleven oclock

Friday April 25th 1856

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable John McLean
James M Wayne
John T Nelson — Associate
Samuel Nelson — Justices
Robert C Grier
Benj R. Curtis
John A Campbell

Josiah D Hoover Esquire Marshal
William Thomas Carroll Clerk

Proclamation being made the Court is opened

James C Conrad admr of Philip Seely & dec'd — Pltff in Error
vs
Benjamin Burges Nathan Cobb & Benjamin F Burges, under the firm of Benjamin Burges & Son — Deft in Error

1411

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts

from the Circuit Court of the United States for the District of Massachusetts and was argued by Counsel - On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs and interest until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Massachusetts.

per Mr Justice Campbell

Dissenting - Mr Chief Justice Taney and Justices Daniel & Nelson

The Lafayette Insurance Company - Plaintiffs in Error
vs
Maynard French and Edward K Strong

In Error to the Circuit Court of the United States for the District of Indiana

76

This Cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Indiana and

was argued by Counsel - On consider-
-ation whereof, it is now here ordered
and adjudged by this Court that the
judgment of the said Circuit Court in
this cause be and the same is hereby af-
-firmed with costs and interest until
paid at the same rate per annum that
similar judgments bear in the courts of
the State of Indiana

per Mr Justice Curtis

Dissenting, Mr Justice Campbell

Amara Ledoux, Alphonse
Hilsborough & Geo. C. Hall
vs
Th. Pfifer & Peter Fagan, &
Peter Fagan Jun. Francis Kerr &
Th. Emily, & Ephraim H. Hart

In error to the Supreme Court of the State of Louisiana for the Eastern district

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Louisiana for the Eastern District and was argued by Counsel - On consideration whereof it is now here ordered adjudged and decreed

by this Court that the decree of the said Supreme Court in this cause be and the same is hereby affirmed with costs

per Mr Justice Catron

Joshua R Stanford . In error to the
90 vs plff in Circuit Court of
Clay Taylor the United States
for the District of
Missouri

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Missouri and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs

per Mr Justice Catron

	In Bost Rudgers &c - Appts	The Robinson moved
239	vs	the Court to dismiss
	Wyndham Kemp, assignee	this appeal for
	in Bankruptcy of the	irregularity - and
	Rudgers	which motion was
		argued by him, and

Mr Fallon of counsel for the appellee in support thereof - Whereupon at the instance of Mr Kennedy Thurston of counsel for the appellants it is now here ordered by the Court that the further argument of said motion be and the same is hereby postponed to next Friday the 2d proximo

	The United States - Appts	Appeal from the Dis-
241	vs	trict Court of the
	Charles H Semple	United States for the
		Northern District of

California

Mr Tittenden of counsel for the appellee having filed in open court a manuscript of the record from the District Court of the United States for the Northern District of California in the above entitled cause and having stated on behalf of

the said States & Semple the party named in the said record as the petitioner in the said District Court that it appeared from the record & filed that the said District Court had on the 5th day of July A.D. 1855 rendered a decree in the said Cause in favor of the said petitioners and that on the same day and year said aforesaid the said United States had prayed and obtained an appeal from the said decree so rendered as aforesaid to remove the Cause to this Court and the said Counsel having alleged that the said United States appellants as aforesaid had altogether failed to file the record of said Cause in this Court or in any way to prosecute their said appeal now here moved the Court in pursuance of the 63d rule of this Court to have this appeal docketed and dismissed. Upon consideration whereof it is now here ordered, adjudged and decreed by this Court that this appeal from the decree of the District Court of the United States for the Northern

District of California be and the same is hereby dismissed and dismissed and that this cause be and the same is hereby remanded to the said District Court for further proceedings to be had therein in conformity to law and justice the said Appeal notwithstanding

for Mr Justice McLean

Gustavus I Scott et al 96 vs Appt. The City of New Orleans	The argument of this cause was continued by the Reporter of Counsel for the appellant and by Mr Taylor of Counsel for the Appellees.—

Elliott F Hudgins et al 240 vs Appt. Hyndman Kemp, assignee in Bankruptcy of the E Hudgins	Mr Robinson moved the Court to dismiss this appeal for irregularity and which motion was argued by him and Mr Fabre of counsel for the Appellee in support thereof— Whereupon at the instance of the Reporter of counsel for the

appellants, it is ordered by the Court that the further argument of said motion be and the same is hereby postponed to next Friday the 5th inst.

Proclamation being made the Court is adjourned until Monday morning at eleven o'clock

Monday April 28th 1856

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable	Roger B Taney	Chief Justice
	John M'Lean	
	James M. Hayne	
	Peter V Daniel	Associate
	Samuel Nelson	Justices
	Robert C Grier	
	Benj Kendrick	
	John Campbell	
Enoch L. Hoover	Esquire	Marshal
William Thomas	Carroll	Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr Coltamer - it is ordered that C Hoskin Esquire of Michigan and George Howe Esquire of Vermont be admitted to practice as attorneys and counsellors of this Court and they were severally sworn accordingly

William C Pease - pltff in Er
vs
John Rose, Sheriff &c

107

Mr Lawrence of Counsel for the Plaintiff in Error moved the Court to postpone the argument of this cause until the next term - Whereupon this Court not being now sufficiently advised of and concerning what order to make in the premises doth defer to consider

Jonathan Crockett et al
vs Appts
The Steamboat Isaac Newton &c, Isaac Newton - Claimant
and
Augustus Lord - Appt
vs
The Steamboat Isaac Newton &c Daniel Drew, Claimant

95

97

The argument of the cause was commenced by Mr Stordid of Counsell for the Appellants

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock

Tuesday April 29th 1856

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Roger B Taney Chief Justice
John M'Lean
James M Kayne
Peter V Daniel Associate
Samuel Nelson Justices
Robert C Grier
Benj Rbertis
John A Campbell

Jno A Hoover Esquire Marshal
William Thomas Carroll Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr Reverdy Johnson - it is ordered that James M Arthur Esquire of Delaware be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

Mr Chief Justice Taney announced that this Court would not

Tuesday April 5th 1859 Session

Take up any case for argument after
Friday the 8th inst and that the
Court will adjourn this morning
Thursday the 15th inst

The Mechanics Trades
Bank. Appeal of the
State Bank of Ohio
73 vs Jeffries &
Henry Detrick Treasurer
of Hamilton County

Error to the
Supreme Court
of the State of Ohio

This cause came on to be heard
on the transcript of the record from the
Supreme Court of the State of Ohio
and was argued by counsel. On
consideration whereof it is now here
ordered and adjudged by this Court
that the judgment of the said Supreme
Court in this cause be and the same
is hereby reversed with costs and
that this cause be and the same is
hereby remanded to the said Supreme
Court of the State of Ohio with direc-
-tion to enter a judgment therein in

favor of the plaintiff against the said defendant, pursuant to and in conformity with the terms of the agreed case between the parties

per Mr Justice Wayne

The Mechanics Trades Bank vs Treasurer of Hamilton County

In Error to the Supreme Court of the State of Ohio

741

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Ohio and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be and the same is hereby reversed with Costs and that this cause be and the same is hereby remanded to the said Supreme Court of the State of Ohio with directions to take a judgment therein in favor

of the plaintiff against the said defendant, pursuant to and in conformity with the terms of the agreed case between the parties

per Mr Justice Wayne.

Jonathan Crostett et al 96 vs Appts The Steamboat Isaac Newton &c Isaac Newton Claimt And Augustus Lord — Appt 97 vs The Steamboat Isaac Newton &c Daniel Brown Claimt	The argument of these causes was continued by Mr Benedict of Counsel for the appellants by Mr Cowles of counsel for the appellees and concluded by Mr Benedict for the appellants

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock

Wednesday April 30th 1856

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Roger B Taney Chief Justice
John McLean
James M Wayne
Peter V Daniel Associate
Samuel Nelson Justices
Robert C Grier
Levi Woodbury
John A Campbell

Enoch L Lowe Esquire Marshal
William Thomas Carroll Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr Hascall - It is ordered that Lucius H Tenny Esquire of New York be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly

William P Cuthbertson . The argument of this
98 To Appln. Cause was commenced by Sir Fitzroy
The Steamer Jonathan &c. Kelly & others Defts Appts of counsel for the
Appellant & terminated
by Mr Crittenden of counsel for the Appellees and concluded by Mr Benjamin
for the Appellants

Proclamation being made
the Court is adjourned until tomorrow
morning at eleven o'clock.

Thursday May 1st 1856

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Roger B Taney Chief Justice
Peter V Daniel Associate
Samuel Nelson Justices
Robert C Grier
Benj: R Curtis
John A Campbell

Josiah M Fiesen Esquire Marshal
William Thomas Carroll Clerk

Proclamation being made the Court is opened.

99 The United States — &c &c The argument of this
vs cause was commenced
Elias C Boudinot et al by the attorney
General Cushing
of counsel for the appellants continued
by Mr Lawrence of counsel for the appellees
and concluded by Mr Elliot for the
appellants

The Union Bank of Tennessee — Appt
vs
William Kelly's admr.

The argument of this cause was commenced by Mr Rodgers of counsel for the appellant continued by Mr Stanton of counsel for the appellee and concluded by Mr Coxe for the Appellant

100

The United States — pltff
vs
William G. Shackleford

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr attorney General Cushing for the plaintiffs and by Mr Underwood of counsel for the defendant

101

Charles McMicken — Appt
vs
Franklin Perin

The argument of this cause was commenced by Mr Hodson of counsel for the appellant

102

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock

Friday May 2d 1856

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable	Roger B Taney	Chief Justice
	John McLean	
	James M Wayne	
	Peter V Daniel	Associate
	Samuel Nelson	Justices
	Robt C Grier	
	Benj R Curtis	
	John A Campbell	
Josh D Hoover	Esquire	Marshal
William Thomas	Carroll	Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Chas Howard - it is ordered that George Gale Esquire of Wisconsin be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

On motion first made to the Court in this behalf by Mr Elliot - It is ordered that Abram Hickman Esquire of the City and John A Dent Esquire of Prince George be admitted to practice as attorneys and counsellors of this Court and they were severally sworn accordingly

239 Robert Hudgins et al vs Appt. Wyndham Kemp assignee of Bankruptcy of Edmund Hudgins

The motion to dismiss this cause was further argued by Messrs Lyons and Brooke, Stevens of Counsel for the appellants in opposition thereto

240 Elliott C. Hudgins et al vs Appt Wyndham Kemp, assignee in Bankruptcy of Edmund Hudgins

The motion to dismiss this cause was further argued by Messrs Lyons and Brooke, Stevens of Counsel for the appellants in opposition thereto

Charles Pierce - Appt } The argument of
102 vs } this cause was con-
Franklin Perin } -tinued by Mr Hender-
-son of counsel for
the appellant and by Mr Smith of coun
-sel for the appellee

Proclamation being made the Court
is adjourned until Monday morning
at eleven oclock

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Roger B Taney Chief Justice
John McLean
James M Wayne
Peter V Daniel Associate
Samuel Nelson Justices
Robert C Grier
Benjn R Curtiss
John A Campbell

Jonah D Hoover Esquire Marshal
William Thomas Barrett Clerk

Proclamation being made the Court is opened

Richard S Wood, John Garrow & Thomas pro-
James Abbott & Joseph Ewen the Citizens
Copartners under the name & Court of the
Style of Wood, Abbott & Co Of the United States
87 v for the North
Alexander C. Davis -ern District
of Illinois.—

This cause came on to be heard
on the transcript of the record from the

Circuit Court of the United States for the Northern District of Illinois and was argued by Counsel - On consideration whereof it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court, remanding this cause to the State Court be and the same is hereby reversed with costs, and that this cause be and the same is hereby remanded to the said Circuit Court with directions to proceed therein according to law and justice.

Present The Chief Justice Nelson

Archibald Douglass et al Complts appts. vs. John L Harris et al Garnee Defts of the Planters Bank	71	Appeal from the Circuit Court of the United States for the Eastern District of Louisiana

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Louisiana and

on the motion of Miles Taylor Esquire of Counsel for the appellants, stating that the matters in controversy in this case had been agreed and settled between the parties - it is now here ordered, adjudged and decreed by this Court that this cause be and the same is hereby dismissed with costs

For the Chief Justice Taney

Charles McMicken - Appt. The argument of
102 vs this cause was con-
Francis Perin -cluded by Mr Jame-
-son of Counsel for
the Appellant

Elizabeth Moore - Appt. This cause having
103 vs been called for
Ray Greene et al argument and no
Counsel appearing
ready to proceed with the same - it is now
now ordered by the Court that this cause
be and the same is hereby postponed to
the foot of the docket pursuant to the
36th rule of this Court

Monday May 5th 1834 continued

Swan & Comm. Writers. The argument of
104 Vs Jeffries this Cause was con-
Henry & Conrad & Griffin-Mcneil by Mr Hen-
derson of counsel for
the plaintiff in Error continued by Mr
Benjamin of counsel for the defendants
in Error and by Mr Henderson for the
plaintiff in Error

Proclamation being made the
Court is adjourned until tomorrow
morning at eleven oclock

Tuesday May 6th 1856

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Roger B Taney Chief Justice
John McLean
James M Wayne
Peter V Daniel Associate
Samuel Nelson Justices
Robert C Grier
Benj R Curtis
John A Campbell

Josiah S Johnson Esquire Attorney
William Hemen Clerk

Proclamation being made the Court adjourned

James H Foster, Duncan K Farrar and Tribal S Read vs John Pearsall, owners of the Steamboat Autocrat. Libellants ars Appellants

80 vs

Reuben Shute Exr of Maria Shute dec'd and Mary A Shute, owners & claimts of the Steamer Magnolia

Appeal from the Circuit

Court of the United States for the Eastern District of Louisiana.—

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Louisiana and was argued by counsel— On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs

Per Mr Justice McLean
Dissenting Justices Daniel, Wayne,
and Chief Justice Taney

E. G. Rogers &c vs. &c. vs. On the motion of
of Jefferson Ella Mr Eufaurin of Counsel for the appellants
105 To Sept. it is now here ordered by the Court
James &c. May et al &c. that this cause be
of Miami &c. Circuits- and the same is hereby postponed to the foot of the docket.—

Susan E Conner widow &c
105 vs
Henry L Conner & others

The argument of Jeffries this cause was concluded by Mr Henderson of Counsel for the plaintiff in error

Joshua Maxwell &c
106 vs
Alex H Newbold &c

The argument of Jeffries this cause was commenced by Mr Lawrence of Counsel for the plaintiffs in Error and continued by Mr Cushing of Counsel for the defendants in Error

Ex parte: In the matter of
The United States
vs
Sherman M Booth

Mr Attorney General Cushing having referred to the Court that it the writ of error in the present case to the Supreme Court of the State of Wisconsin issued by the Chief Justice of the United States, no return had been made moved the Court that an authentic copy of the record of the

said Supreme Court of the State of Wisconsin and of the writ of error with a certificate of other proceedings since had may be filed and the Case entered and proceeded with to final judgment on said Copies- Whereupon this Court not being now sufficiently advised of and concerning what order to render in the premises but time to consider

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable	Roger B Taney	Chief Justice
	John M'Lean	
	James M Wayne	
	Peter V Daniel	Associate
	Samuel Nelson	Justices
	Robert C Grier	
	Benj R Curtis	
	John A Campbell	
Jonah D Hoover	Esquire	Marshal
William Thomas	Carroll	Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr Coffroth - it is ordered that Asa Owen Aldis Esquire of Vermont be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

On motion first made to the Court in this behalf by Mr Mason - it is ordered

that Wm Hammond Esquire of New-
-York be admitted to practice as an
attorney and counsellor of this Court
and he was sworn accordingly

Nathan Ramsdell et al — The argument of this
106 vs Jeffries cause was entered
Alexander Stewart et al upon by the Cashing of
Counsel for the defend-
-ants in error and concluded by Mr Harris
of Counsel for the plaintiffs in Error

William C Rose — The argument of
107 vs Jeffries this cause was com-
the Fleet Executrix &c -menced by Mr Lan-
-sing of counsel for the plaintiff in Error
and continued by Mr Badger of counsel
for the defendant in error

Fractional Term being made the
Court is adjourned until to-morrow
morning at eleven o'clock

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Roger B Taney Chief Justice
John McLean
James M Wayne
Peter V Daniel Associate
Samuel Nelson "
Robert C Grier "
Benj R Curtis "
John A Campbell "

Jacob A Hoover Esquire Marshal
William Thomas Connelly Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr Phillips - it is ordered that John A Godfrey Esquire of California be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

Thursday May 8th 1856 continued

The Steamer Cuyga Regis. The argument of
A Stein, master & part owner this cause was com-
85 vs Appts. -menced by Mr Rev-
Joseph Rocca et al -erdy Johnson of
counsel for the ap-
-pellant, continued by Mr Phillips of counsel
for the appellees and concluded by Mr
Johnson for the appellant

The Steamer Cuyga Regis. The argument of
A Stein, Master & part owner this cause was com-
86 vs Appts -menced by Mr Reverdy
Robert Turner et al Johnson of counsel
for the appellant
continued by Mr Phillips of counsel for
the appellees and concluded by Mr
Reverdy Johnson for the appellant

William H Seymour et al It is now hereby ordered
105 vs Libelants by the Court that this
Cyrus H. McCormick et al cause be and the same
is hereby postponed
to the first of the docket

James Hanes - pltff in er. It is now
109 vs ordered by the Court
Royal Gladding et al that this cause be
and the same is
hereby postponed to the foot of the docket

Matthew Hatten - pltff in er This cause was
110 vs argued by Mr Sayre
Colin G Tarpley of counsel for the
plaintiff in error

Reuben L Long et al - It is now ordered
111 vs Appts. by the Court
John O Fallon that this cause be
and the same is here-
by postponed to the foot of the docket

C. C. Lathrop - pltff in er It is now ordered
112 vs by the Court that this
Charles Judson cause be and the
same is hereby post-
poned to the foot of the docket

Thursday May 8th 1856 continued

2 The State of Pennsylvania vs The Columbia & Belmont Bridge Company

A petition for a bill of review having been filed in this case the Honorable Johnson of counsel for the respondents moved the Court for leave to file said bill of review, which Mr Hamilton of counsel for the Complainant opposed Whereupon this Court not being now sufficiently advised of and concerning what order to make in the premises took time to consider

Proclamation being made the Court is adjourned until to morrow morning at eleven o'clock

Friday May 9th 1856

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Roger B Taney Chief Justice
John McLean
James M Wayne
Peter V Daniel Associate
Samuel Nelson Justices
Robert C Grier
Benj R Curtis
John A Campbell

Sarah A Toers Esquire Marshal
William Thomas Carroll Clerk

Proclamation being made the Court opened

On motion first made to the Court in this behalf by Mr Stanton - it is ordered that Peter Hattaem Esquire of the District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

Ex parte: In the matter of
The United States
vs
Dred Scott

On the motion
of the Attorney
General Reading
of Tuesday the
Sixth instant

On consideration of the motion made in this case on a prior day of the present term, viz: on Tuesday the sixth instant it is now here ordered by the Court that this motion be and the same is hereby overruled

In the matter of
The United States
vs
Dred Scott

It having been suggested and shown to this Court by the Attorney General of the United States that the writ of error heretofore allowed and awarded by the Chief Justice of the Supreme Court of the United States and which issued out of this court pursuant to the several acts of Congress in such cases made and provided - directed to the Supreme Court

of the State of Wisconsin requiring the record and proceedings of the said Supreme Court of the State of Wisconsin in the matter of Sherman M Booth for a writ of habeas corpus and to be discharged from imprisonment to be sent to this Court, has not been returned pursuant to the exigency of said writ. —

It is thereupon ordered, that the Clerk of the said Supreme Court of the State of Wisconsin do forthwith make due return of the said writ of Error pursuant to the mandate thereof contained and according to the laws of the United States in that behalf on or before the first day of the term of this Court next to be holden at the City of Washington on the first Monday of December in the year of our Lord One Thousand Eight hundred and fifty Six or then and there show cause why such return has not been made in Conformity to law. —

And it is further ordered that a copy of this rule be served on the

Friday May 9th 1856 continued

said Clerk, or a before the first day of August next

Stephen R. Aikman vs. Jeffries & Sherman & Booth	It is now here ordered by the Court that this cause be and the same is hereby continued to the next term of this Court.

Noel Graden et al- vs. Christopher Graham — In Error

No 26 of 1850

The Defendant in Error moved the Court to amend their judgment entered in this case at the December Term 1850 and to give a judgment for costs in this Court in favor of his client- whereupon it is now here considered by the Court that this Court cannot give a judgment for costs in a case dismissed for want of jurisdiction. And it appearing to this Court that this case has been dismissed for want of jurisdiction, it is therefore now here ordered by the Court that the

said motion be and the same is hereby overruled

Adolphus Kunard-Appt. vs. Counsel of
125 vs. counsel for the
Samuel Lawrence &c Appellant having
filed and read
in open court the following stipulation
to wit:

"It is agreed that the following documents and exhibits were used in evidence on the hearing of this case in the Circuit Court of the U.S. for the District of Massachusetts and should have been certified up as a part of the record evidence, and that the same shall now be printed and used with the evidence already certified up by the Clerk of said Circuit Court, namely.—

1- The Bill of discovery and answer Essex Company vs Adolphus Kunard
2 The answer of Farley that is the Bill to redeem by the Essex Company
3 The deposition of said Kunard in said Case

The record of the insolvency proceedings on the petition of said Durant
The bills or accounts mentioned in the printed agreement on pages 311 & 312 of printed evidence in the Circuit Court, viz:—
"J Foster's Bill, marked E
S Deming's six bills marked C
No 1.2.3.4.5.6.
A Durant's two bills marked A"

But neither party is to be understood as waiving the right to object to the Competency of any of said documents or Exhibits as evidence

May 2d 1856

Adolph Durant
Elias Merwin
pr respondents"

and having suggested to the Court a diminution of the record filed in this Case in the aforesaid particulars now moved the Court to award a writ of certiorari to be directed to the Judges of the Circuit Court of the United States for the District of Massachusetts commanding them that searching the

record and proceedings of said Court in this cause they shall certify to this Court under the seal of said Circuit Court whatever omissions and errors shall be found — On consideration whereof it is now here ordered by this Court that a writ of certiorari be and the same is hereby awarded to be issued forthwith and it be directed to the judges of the said Circuit Court commanding them to certify under the seal of the said Circuit Court whatever errors and omissions shall be found in this cause and return the same with the said writ of certiorari forthwith to this Court

per Mr Chief Justice Taney

Edward Field-pltff in er. The argument of
113 v. this cause was com-
Pardon G. Stabury-def in er. -menced by Mr Lock-
-wood of counsel
for the plaintiff in error

Proclamation being made the Court is adjourned until Monday morning at eleven o'clock

Monday May 12th 1856

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable Roger B Taney Chief Justice
John M'Lean
James M Wayne Associate
Peter V Daniel Justices
Robert C Grier
Benja R Curtis
John A Campbell

Jonah D Hoover Esquire Marshal
William Thomas Carroll Clerk

Proclamation being made the Court is opened

Edward Field - plaintiff in error
vs
Farden & Seabury Def[endan]ts in Error

113 This cause was this day concluded by Mr Holladay of Counsel for the defendants in Error

Edward Field - plaintiff in error
vs
Farden & Seabury Def[endan]ts in Error

114 This cause was submitted to the consideration of the Court on the record and

printed arguments by Mr Gastmore of counsel for the plaintiff in Error and by Mr Halladay of Counsel for the defendants in Error

Dred Scott - Jeffn'a In consideration
61 vs ordered. that this
John F. A. Sandford cause be re-argued
by Counsel for the respective parties at the next term of the Court and especially upon the following points

1 Whether or not the facts admitted by the demurrer to the plea to the jurisdiction and a judgment given that the defendant answer over and the submission of the defendant to that judgment by pleading over in the suit the appellate Court can take notice of these facts thus admitted upon the record in determining the question of jurisdiction of the Court below to hear and finally dispose of the Case — and

2 Whether or not, assuming that the appellate Court is bound to take

notice of the facts thus appearing upon the record the plaintiff is a citizen of the State of Missouri within the meaning of the 11th of the judiciary act of 1789 (1st Laws p. 78) -

Charles Powers, Guardian of Adelaide Clare Brown, and Emma Eliza Brown, minor children of James Brown jr. dec'd

257 vs petition &c

Ann Mc Mann, adm[x] of the succession of James Brown jr. dec'd

In Error to the Circuit Court of the United States for the Eastern District of Louisiana

Mr Benjamin of counsel for the defendant in error having filed and read in open court the following certificate to wit:

United States of America
Circuit Court of the United States
Fifth Circuit and Eastern District
of Louisiana

Charles Bowen guardian of Adelaide Clare Brown, and Emma Eliza Brown, minor children of James Brown & deceased

vs No 2368

John M Harren, administrator of the succession of James Brown & deceased

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I, Edward Henry, Clerk of the Circuit Court of the United States for the Fifth Circuit and Eastern District of Louisiana do hereby certify that on the 20th day of June 1855 a judgment was rendered in the above entitled cause by the said Court against the plaintiffs and in favor of the defendants in words and figures as follows

"This cause having been argued and submitted on a former day and the Court having considered the same doth now order adjudge and decree that there be judgment for the defendant and that plaintiffs petition be dismissed with costs"

And I further certify, that on the 13th day of June 1855, a mot

of Error was duly taken and filed by the said plaintiff returnable to the December Term A.D. 1855 of the Supreme Court of the United States - all which appears from the records of my office. -

Seal

Witness My hand and the Seal of the said Court at New Orleans this 26th April 1856

J. W. Gurley Clerk

And having failed that plaintiff in Error had altogether failed to file the record of said Cause or in any way to prosecute said writ of Error - Now here moved the Court in pursuance of the 63rd rule of this Court to have this writ of Error docketed and dismissed - On Consideration whereof it now here ordered and adjudged by this Court that this writ of Error to the Circuit Court of the United States for the Eastern District of Louisiana be and the same is hereby docketed and dismissed with costs and that this cause be and the same is hereby remanded to the said Circuit Court for further proceedings

to be had therein in conformity to law and justice the said writ of Error notwithstanding

per M Chief Justice Taney

Charles Powers, Guardian of Adelaide Clare Brown and Emma Eliza Brown minor Children of James Brown jr dec'd

258 vs pff in Error

Rosene Olivia Mordecai, widow, and her husband Thomas Mordecai, late tutor of the minor Children of James Brown jr dec'd viz: Adelaide Clare Brown, and Emma Eliza Brown.—

In Error to the Circuit Court of the United States for the Eastern District of Louisiana

The Benjamin of Counsel for the defendants in Error having filed and read in open Court the following certificate to wit:

United States of America Eastern District of Louisiana

Circuit Court of the United States for the 5th Circuit and Eastern District of Louisiana

Charles Sauvey Guardian of Adelaide Clara Brown and Emma Eliza Brown minor children of James Brown & dec'd

vs

Jessie Alvin Morlee, Intrix and her husband Thomas J Wales ex-tutor of the minor children of James Brown & dec'd Viz:- Adelaide Clara Brown and Emma Eliza Brown

I John H Conley Clerk of the Circuit Court of the United States for the fifth Circuit and Eastern District of Louisiana do hereby certify that on the 13th day of June 1855 a final judgment was rendered by the said Court against the said Plaintiffs and in favor of the defendants in the above entitled cause in the words and figures following to wit:-

April Term 1855

New Orleans Wednesday 18 April 1855

Court met pursuant to adjournment
Present Hon J. H. McCaleb Justices Judge
Absent " J. Campbell Presiding Judge

This cause having been argued and submitted on a former day and the Court having considered the same this day delivered its opinion in writing and in conformity thereto doth now order adjudge and decree that the plaintiffs petition be dismissed with costs.

And I further certify that on the 13th day of June 1855, a writ of Error was duly taken and filed by the said plaintiff returnable to the December Term A.D. 1855 of the Supreme Court of the United States — all of which appears by the record remaining in my office

Seal

Witness my hand and the Seal of the said Court at New Orleans this 26th Day of April 1856

J. W. Gurley Clerk

and having stated that the plaintiff in error had altogether failed to file the record of said cause in this Court a w

any way to prosecute said writ of Error. Now here moved the Court in pursuance of the 33d rule of this court to have this writ of error docketed and dismissed - On consideration whereof it is now here ordered and adjudged by this Court that this writ of Error to the Circuit Court of the United States for the Eastern District of Louisiana be and the same is hereby docketed and dismissed with Costs, and that this cause be and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity to law and pursuit the said writ of Error notwithstanding

Present The Chief Justice Taney

Gustavus A. Beauregard Exr. Appeal from the
and executor of Madame Circuit Court of
Emilie J. Pontney - Compl. the United States
96 vs appt. for the Eastern
The City of New Orleans et al District of Louisiana

This cause came on to be

heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Louisiana and was argued by counsel — On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs. —

Per Mr Justice Campbell

Jonathan Crockett, Archibald L Stebbins, John Gregory, Christopher Ayer and Nathaniel Ayer — Libels and Apts

95

vs

The Steamboat Isaac Newton in rem &c

vs Isaac Newton Claimant

Appeal from the Circuit Court of the United States for the Southern District of New York

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York and on consideration whereof it is now here

ordered adjudged and decreed by this Court that the decree of said Circuit Court in this cause be and the same is hereby reversed with costs, and that this cause be and the same is hereby remanded to the said Circuit Court to be proceeded in according to law

Per Mr Justice Curtis

Dissenting Mr Justice Daniel

Augustus Ford - Libel & Appl. Appeal from the
97 W Circuit Court of
The Steamboat Isaac the United States
Newton, her tackle &c for the Southern
Saml Drew - Claimant District of New York

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York and was argued by Counsel - On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby reversed and that this

Cause be and the same is hereby re-
-manded to the said Circuit Court to
be proceeded in according to Law

Per Mr Justice Curtis

Dissenting Mr Justice Daniel

Susan E Conner widow of
Henry L Conner dec'd
Pltffs in Error
vs
William H Ashton Elliott and
Daniel H Brickell surviving
Exrs of the last Will of Henry L Conner
dec'd

In Error to the Supreme Court of the State of Louisiana for the Eastern District

104

This cause came on to be heard on
the transcript of the record from the
Supreme Court of the State of Louisiana
for the Eastern District and was ar-
-gued by Counsel — On consideration
whereof it is now here ordered adjudged
and decreed by this Court that the
decree of the said Supreme Court in
this cause be and the same is hereby
affirmed with Costs

per Mr Justice Curtis

77

María de la Soledad Ortega de Arguello, Ana Rama Arguello, Louis Antonio Arguello and J M Hayes, Claimants Appellants

vs

The United States

Appeal from the District Court of the United States for the Northern District of California

This Cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of California and was argued by counsel - On consideration whereof it is the opinion that there is no error in the decree of the said District Court in this cause, and it is accordingly ordered, adjudged and decreed by this Court that the said Claim of the petitioners is valid as to that portion of the land described in the petition which is bounded as follows towit: on the South by the arroyo or creek of San Francisquito on the North by the creek of San Mateo on the East by the Esteros or waters of the Bay of San Francisco and on the West by the eastern borders of the valley known as the "Cañada de Raimundo" said land being of

the extent of four leagues in length and one in breadth be the same more or less and it is therefore hereby decreed that the said land be and the same is hereby confirmed to them and it is further adjudged and decreed that the said petitioners have and hold the same under this confirmation in following shares or proportions towit: Maria de la Luz de Argüello one equal undivided half thereof; Jose Ramon Argüello one equal undivided fourth part thereof, Luis Antonio Argüello one equal undivided tenth part thereof and Jose Maria Amezo two equal undivided twentieth parts of said premises: And as to the portion of the premises described in said petition which is not included within the boundaries above mentioned the claim of the petitioners is hereby ordered and decreed not to be valid. And it is further ordered adjudged and decreed by this Court that this cause be and the same is hereby remanded to the said District Court to be proceeded in according to law and

in conformity to this decree
per Mr Justice Grier
Absenting Mr Justice Daniel

The United States-Appts. } Appeal from
78 vs } the District
Maria de la Solidad Arbega } Court of the
de Argüello, Jose Ramon } United States
Argüello, Luis Antonio } for the Northern
Argüello and Mr Negus } District of Cal-
Claimants &c } -ifornia

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of California and was argued by Counsel— On consideration whereof it is the opinion of this Court that there is no error in the decree of said District Court in this cause and it is accordingly ordered, adjudged and decreed by this court that the said claim of the petitioners is valid as to that portion of the land described in the petition which is bounded as follows to wit: On

the South by the Arroyo o rivet of San Francisquito, on the South by the Creek San Mateo, on the east by the Esteros o waters of the bay of San-Francisco and on the west by the east-ern borders of the Valley known as the "Canada de Raymundo" said land being of the extent of four leagues in length and one in breadth be the same more or less, and it is therefore hereby decreed that the said land be and the same is hereby confirmed to them; and it is further adjudged ordered and decreed that the said petitioners have and hold the same under this confirmation in following shares or proportions to wit; Maria de la Soledad Ortega de Arguello one equal undivided half thereof, Jose Ramon Arguello one equal undivided fourth part thereof, Luis Antonio Arguello one equal undivided fourth part thereof and L M Mesa three equal undivided twentieth parts of said premises; and as to the portion of the premises described in said petition which is not included

within the boundaries above mentioned the claim of the petitioners is hereby ordered and decreed not to be valid.

And it is further ordered adjudged and decreed by this Court that this cause be and the same is hereby remanded to the said District Court to be proceeded in according to law in conformity to this decree

Chr Mr Justice Grier

Dissenting Mr Justice Daniel

The United States - Appts. vs Cruz Cervantes

92

Appeal from the District Court of the United States for the Northern District of California

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of California and was argued by Counsel - On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said

District Court in this cause be and the same is hereby affirmed

Per Mr Justice Grier

Dissenting Mr Justice Daniel

The United States-Appts. vs Thomas Oakley and John S Mission. Appeal from the District Court of the United States for the Northern District of California

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of California and was argued by Counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said District Court in this cause be and the same is hereby affirmed

Per Mr Justice Nelson

Dissenting Mr Justice Daniel and Mr Justice Campbell

The United States - plffs
vs
101 William S. Bachelor

on a certificate of division in opinion between the Judge of the Circuit Court of the United States for the District of Kentucky

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Kentucky and on the point a question on which the Judges of the said Circuit Court were opposed in opinion and which was certified to this Court for its opinion agreeably to the act of Congress in such case made and provided and was argued by counsel And it appearing to this Court upon an inspection of the said transcript that no point in the case within the meaning of the Act of Congress has been certified to this Court it is therefore now here ordered and adjudged by this Court that this cause be and the same is hereby dismissed and that this cause be and the same is hereby

remanded to the said Circuit Court to be proceeded in according to law and in conformity to the opinion of this Court

Opn Mr Justice Nelson

Alexander Dennistoun John. C. & withdrawn
Dennistoun William Craig of division in
Mylne, and Armistead part opinion between
-ners under the style of the Judges of
A Dennistoun & Co - pffs the Circuit Court
81 vs of the United
Roger Stewart States for the
Southern District
of Alabama

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Alabama and on the questions or points on which the Judges of the said Circuit Court were opposed in opinion and which were certified to this Court for its opinion agreeably to the act of Congress in such case made and provided

and was argued by Counsel - And it appearing to this Court upon an inspection of the said transcript that no point in the case within the meaning of the act of Congress has been certified to this Court it is therefore now here ordered and adjudged by this Court, that this cause be and the same is hereby remanded to the said Circuit Court to be proceeded in according to law

Mr Justice Daniel

Solomon S Masters and William S Masters trading as partners under the firm and style of S. S Masters & Son.

93 vs

Frederick L Barreda and Phillip Barreda trading as partners under the firm of F Barreda and Brother

In Error to the Circuit Court of the United States for the Eastern District of Virginia

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Virginia and was argued by counsel — On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs and interest until paid, at the same rate per annum that similar judgments bear in the courts of the State of Virginia

Per Mr Justice Wayne

The President, United States and appellants from the Company of the Union Bank of Tennessee — Appeal from the District Court of the United States for the Northern District of Mississippi

100 W

Mr Ashfah J Taidin and Mr A. Smith with admr of Mr Holly dec'd

This cause came on to be heard on the transcript of the record from the District Court of the United States

for the Northern District of Mississippi and was argued by Counsel. On consideration whereof it is now here adjudged adjudged and decreed by this Court that the decree of the said District Court in this cause be and the same is hereby reversed with costs, and that this cause be and the same is hereby remanded to the said District Court for further proceedings to be had therein in conformity to the opinion of this Court and as to law and justice shall appertain

per Mr Justice Wayne

98

William B. Culberton Appt
vs
The Steamer Southern Belle, Henry Shaw, William Mc Shaw, Elam Towman Sidney Blanchet and John D Sebastian Claimts

Appeal from the Circuit Court of the United States for the Eastern District of Louisiana

This cause came on to be heard on the transcript of the record from

the Circuit Court of the United States for the Eastern District of Louisiana and was argued by Counsel On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby reversed with Costs and that this cause be and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity to the opinion of this court and as to law and justice shall appertain

Per Mr Justice Nelson

William Harris et al - pffs
vs
Charles K. Pooles

142

On a certificate of division in opinion between the Judges of the Circuit Court of the United States for the District of Massachusetts

This cause came on to be heard

on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts and on the points or questions on which the Judges of the said Circuit Court were opposed in opinion and which were certified to this Court for its opinion agreeably to the act of Congress in such case made and provided and was argued by Counsel — On consideration whereof it is the opinion of this Court — 1st That the tariff act of March 3d 1851 repealed so much of the former laws as provided that merchandize when imported from a country other than that of production or manufacture should be appraised at the market value of similar articles at the principal markets of the country of production or manufacture at the period of the exportation to the U. States

2d That in estimating the value of the entries it was the duty of the appraisers to determine what were the principal markets of the country from

which it was impacted into the U. States and their decision that London and Liverpool were the principal markets for that article is conclusive

3. The assessment of pleading to have been legally made the additional duty of twenty per cent under the 8th section of the tariff act of July 30th 1846 was rightfully exacted by the defendant. Whereupon it is now here ordered and adjudged by this Court that it be so entered in the said Circuit Court

Present Chief Justice Taney

The State of Pennsylvania
2 vs
The Wheeling and Belmont Bridge Company et al

On consideration of the petition of the Respondents filed in this case on a prior day of the present term to wit: On Thursday the 9th instant and also of the motion made on the same day by their counsel in Court

Monday May 12th 1856 continued

Johnson— It is now here ordered by the Court that the prayer for leave to file a bill of review and for a retaxation of costs be and the same is hereby denied and that the said motion be and the same is hereby overruled.

The United States— } Appeal from the
vs } District Court of
Juan Manuel Vera, and } the United States
Juan Philipe Pena } for the Northern
District of California.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of California and was argued by counsel— On Consideration whereof it is now here adjudged and decreed by this court that the decree of the said District Court in this cause be and the same is hereby affirmed.

Per Mr Justice Grier

Proclamation being made the Court is adjourned until Wednesday morning at twelve o'clock.

Pursuant to adjournment the Court met this day at the Capitol

Present

The Honorable Roger B Taney chief Justice
John McLean
Peter V Daniel Associate
Robert C Grier "
John Campbell "
Jonah D Hoover Esquire Marshal
William Thomas Carroll Clerk

Proclamation being made the Court is opened

On motion Forsith made to the Court in this behalf by Mr Mason - it is ordered that Charles E Phelps Esquire of South Carolina be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly

On motion first made to the Court in this behalf by Mr Sandy Johnson - it is ordered that [illegible] Esquire of Ohio be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

The Farmers Bank Compt. Appeal from the
82. vs. Appt. Circuit Court of
William Roberts dec. the United States
for the Southern
District of Mississippi

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Mississippi and was argued by counsel— On consideration Whereof it is now here ordered adjudged, and decreed by this court that the decree of the said Circuit Court in this cause be and the same is hereby reversed with costs and that this cause be and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity to the opinion of this Court and as to law and justice shall appertain

per Mr Justice Campbell

Charles Mc Micken - Appt
102 vs
Francis Grice

Appeal from the Circuit Court of the United States for the Eastern District of Louisiana

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Louisiana and was argued by Counsel - On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs

per Mr Justice Campbell

William G Rose -
107 vs
Jeffries

Error to the Circuit Court for the East, District of the United States for the District of Michigan

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States

for the district of Michigan and was argued by counsel— On consideration whereof it is now here ordered and adjudged by this court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Michigan.

Mr McKinley Curr
Dissenting Mr Justice Campbell and
Mr Justice Daniel

The United States—Appts		Appeal from the
176	vs	District Court of
Cruz Cervantes		the United States
		for the Southern

District of California

This cause came on to be heard on the transcript of the record from the district Court of the United States in the Southern District of California and was argued by counsel— On consideration whereof it is now here ordered

adjudged, and decreed by this Court that the decree of the said District Court in this cause be and the same is hereby affirmed

Pr Mr Justice Grier

Dissenting Mr Justice Daniel

	Matthew Watson	In Error to the
110	vs.	Circuit Court of
	Colin S Tarpley	the United States
		for the Southern

District of Mississippi

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of Mississippi and was argued by counsel — On consideration whereof it is now here ordered and adjudged by this court that the judgment of the said District Court in this cause be and the same is hereby reversed with costs, and that this cause be and the same is hereby remanded to the said Circuit Court with directions to award a venire facias de novo:

Pr Mr Justice Daniel

The Steamer Oregon, Appellants, } Appeal from the
Roger Aubrey master } Circuit Court
& part owner — Appellants } of the United
85 vs } States for the
Joseph Isaac & Francis Rocca } Southern District
} of Alabama

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Alabama and was argued by counsel — On consideration whereof it is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar decrees bear in the Courts of the State of Alabama

for Mr Justice McLean

The Steamer Oregon Roger Atkins master & part owner — Appt	Appeal from the Circuit Court of the United States for the Southern District of Alabama.
86 v.	
Robt Turner & William Twiford	

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of Alabama and was argued by counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said District Court in this cause be and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar decrees bear in the Court of the State of Alabama.

Per Mr Justice McLean

Joshua Mowell and Henry McHarter - plffs in Error		In Error to the Supreme Court of the State of Michigan
106	vs	
Alexander McDonald et al		

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Michigan and was argued by counsel - On consideration whereof it is now ordered and adjudged by this Court that this cause be and the same is hereby dismissed for want of jurisdiction.

per M^r Chief Justice Taney

Robert Hodgins et al -		On consideration of the motion made in this cause on a prior day of the present term, viz: on Friday the 25th ult^o and of the arguments of counsel thereupon had as well in support of as against the said motion, it is now hereordered by the Court that the said motion be and the same is hereby overruled
239	vs Appts	
Wyndam Kemp, assignee		

per M^r Chief Justice Taney

Christ H Rudyard that, On consideration of
240 vs Sheffield a motion made in
Hyndman Temp. assignee this cause on a
prior day of the
present term & on Friday the 25th inst
and of the arguments of counsel there-
upon had & made in behalf of as
against the said motion it is now here
ordered by the Court that the said mo-
tion be and the same is hereby overruled
per Mr Chief Justice Tilney

Edward Field-Jeffries It is now here order-
113 vs -ed by the Court that
Farden & Stebbing that this cause be held
under advisement
and that the same be and hereby is continu-
-ued until the next term

Edward Field-Jeffries It is now here
114 vs ordered by the Court
Farden & Stebbing that that this cause be
held under advise-
-ment and that the same be and hereby is
continued until the next term

William Thomas et al curms. It is now here
of the Parish Court ordered by the
19 vs Appts Court that this
Samuel Osborn . Cause be held
under advisement
and that the same be and hereby is
continued until the next Term

Proclamation being made the Court
is adjourned until the time and place
appointed by law

At the Capitol of the United States in the city of Washington and District of Columbia being the present seat of the National Government of the United States, on the first Monday of December (being the first day of the same month) in the year of our Lord one thousand eight hundred and fifty six, and of the Independence of the United States the Eighty first, the Supreme Court of the United States met agreeable to law.—

Present

The Honorable Roger B. Taney Chief Justice
John M'Lean
John Catron
Peter V. Daniel Associate Justice
Robt C. Grier
Benj. R. Curtis
John Campbell

Enoch A. Moore Esquire Marshal
William Thomas Carroll Clerk

Proclamation being made the court is opened

Monday December 1st 1856

Mr Chief Justice Taney announced to the Bar that the Court would commence the call of the docket at noon under the 36th rule.

Proclamation being made the Court is adjourned until to morrow morning at eleven o'clock

Pursuant to anjournment the Court met this morning at the Capitol

Present

The Honorable Roger B. Taney Chief Justice
John McLean
John Catron
Peter V. Daniel Associate Justices
Robert C. Grier
Benjn R. Curtis
John A Campbell

Jonah D. Hoover Esquire Marshal
William Thomas Carroll Clerk

Proclamation being made the Court is opened

On motion first made to the court in this behalf by Mr Baxter - it is ordered that Percy Walker Esquire of Alabama be admitted to practice as an attorney and counsellor of this Court and has been sworn accordingly

On motion first made to the court in this behalf by Mr Gillet - it is ordered that Philip S. Crosby Esquire of New York be

admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.—

1 White Stevens &c vs Jeffreys & Rachel Ross's exrs

On the motion of the Benjamin of counsel for the plaintiff in error it is now here ordered by the court that this cause be and the same is hereby postponed for the present

2 Benjamin F Morgan vs Jeffries & defts & Executrix

On the motion of Mr Hackburne of counsel for the plaintiff in error it is now here ordered by the court that this cause be and the same is hereby postponed for the present

3 Stephen T & Ableman vs Sherman M. Booth

On the motion of Mr Cushing of counsel for the plaintiff in error it is now here ordered by the court that this cause be and the same is hereby postponed for the present

Sebastian Tillott
4 vs pff in er
John F. Sandford

This cause was argued by Wm. Blair of counsel for the plaintiff in error and by Mr. Laurence of counsel for the defendant in error.-

Burr H. Betts.
5 vs Appt.
John H. Lewis and Mary M. F. Lewis his wife

Appeal from the District Court of the United States for the Northern District of Alabama

This cause came on to be heard on the transcript of the records from the District Court of the United States for the Northern District of Alabama and it appearing to the court here that this is the second term at which this case has been called for argument and that neither party is now prepared to argue the same, it is considered by the court that this appeal should be dismissed at the costs of the appellant, pursuant to the 5[th] rule of this court. Whereupon it is now here ordered and

decreed by this court that this cause be and the same is hereby dismissed with costs, and that this cause be and the same is hereby remanded to the said District Court to be proceeded in according to law and justice.—

Ch. Chief Justice Taney

The United States - Appts
vs
The Brig Henrico, William Kobler, claimant.—

This cause was submitted to the Court on the record and printed argument by Mr Attorney General Cushing, of counsel for the appellants.—

6

The United States - Appts
vs
John. B. R. Cooper

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of California

62

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District

of California, and on the motion of Mr. Cushing Attorney General of the United States and of counsel for the appellants, it is now here considered, adjudged and decreed by this court that this appeal be and the same is hereby dismissed.

Per Mr Ch: Justice Taney

63 The United States - appts. vs. John Keys - Appeal from the District Court of the United States for the Southern District of California

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of California, and on the motion of Mr. Cushing Attorney General of the United States and of counsel for the appellants, it is now here considered adjudged, and decreed by this court that this appeal be and the same is hereby dismissed

Pr. Mr Ch: Jus: Taney

64 The United States - Appt. vs. Juan Tilleno - Appee. } Appeal from the District Court of the United States for the Southern District of California.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of California, and on the motion of Mr Cushing Attorney General of the United States and of counsel for the appellants, it is now here considered, adjudged and decreed by this court that this appeal be and the same is hereby dismissed.

Per Mr Chief Jus: Taney

65 The United States Appt vs. Feliciano Sobrenes Appee. } Appeal from the District Court of the United States for the Southern District of California.

This cause came on to be heard on the transcript of the record from the District Court of the United States for

the Southern District of California and on the motion of Mr. Cushing, Attorney General of the United States and of Counsel for the appellants, it is now here considered adjudged and decreed by this Court that this appeal be and the same is hereby dismissed

Per Mr. Chief Jus: Taney

The United States Appeal from the Dis-
66 vs apptd. trict Court of the United
David H. Alexander et al States for the Southern
District of California

This cause came on to be heard on the transcript of the records from the District Court of the United States for the Southern District of California, and on the motion of Mr. Cushing, Attorney General of the United States, and of counsel for the appellants, it is now here ordered, adjudged and decreed by this Court that this appeal be and the same is hereby dismissed

Per Mr. Chief Jus Taney

The United States Appeal from the
67 vs Appts. District Court of
Julian Estrada the United States
for the Southern
District of California.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of California, and on the motion of Mr Cushing Attorney General of the United States, it is now here considered adjudged and decreed by this court that this appeal be and the same is hereby dismissed.

Taney Chief Justice

The United States Appeal from the District
68 vs Appts. Court of the United States for the Southern Dis-
Gil Ybarra -trict of California

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of California and on the motion of Mr Cushing Attorney General of the Uni-

-ted States and of counsel for the appel-
-lants, it is now here considered, adjudg-
-ed and decreed by this Court that this
appeal be and the same is hereby dis-
-missed.

Pr M'Ch: Justice Taney

The United States. Appeal from the
by &c Appl[ts] District Court of the
Cerrogone Ayala United States for the
Southern District of
California.

This cause came on to be
heard on the transcript of the record
from the District Court of the United
States for the Southern District of Cal-
ifornia and on the motion of Mr Bradley
Attorney General of the United States
and of counsel for the appellants, it
is now here considered, adjudged and
decreed by this court that this appeal
be and the same is hereby dismissed

Pr Mr Chief Jus Taney

79 The United States Appt. vs. Moulle & Wm. T. Ramsey Appts.

The United States Appeal from the District Court of the United States for the Southern District of California.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of California, and on the motion of Mr Cushing Attorney General of the United States and of counsel for the appellants it is now considered adjudged and decreed by this court that this appeal be and the same is hereby dismissed.

Ch Mr Chief Jus Taney

80 The United States Appt. vs. Theodore Sherman Appt.

The United States Appeal from the District Court of the United States for the Southern District of California.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of California,

and on the motion of Mr Cushing Attorney General of the United States and of counsel for the appellants it is now here considered adjudged and decreed by this court that this appeal be and the same is hereby dismissed

Per Mr Ch: Jus Taney

The United States Appeal from the Dis-
51 trict Court of the Unit- Guadalupe Cantua -ted States for the Southern District of California.

This cause came on to be heard on the transcript of the records from the District Court of the United States for the Southern District of California and on the motion of Mr Cushing Attorney General of the United States it is now here ordered, adjudged and decreed by this court, that this appeal be and the same is hereby dismissed.

Per Mr Ch: Jus Taney

The United States Appeal from the
52 vs Appl. District Court of
Vicente Cano the United States
for the Southern
District of California

This cause came
on to be heard on the transcript of the
record from the District Court of the
United States for the Southern District
of California, and on the motion of
Mr Cushing Attorney General of the
United States and of Counsel for the
appellants it is now here ordered ad-
-judged and decreed by this court
that this appeal be and the same is
hereby dismissed.

Per the Chief Justice Taney

The United States Appeal from the District
53 vs Appl. Court of the United
Francis Perry Pacheco States for the Southern
District of California

This cause came on to be heard
on the transcript of the records from the
District Court of the United States for

the Southern District of California. and on the motion of Mr Cushing Attorney General of the United States, and of counsel for the appellants it is now here considered adjudged and decreed by this Court that this appeal be and the same is hereby dismissed

Per Mr Chief Js Taney

84 The United States Appellants vs P. E. Hartnells heirs Appellees

Appeal from the District Court of the United States for the Southern District of California

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of California and on the motion of Mr Cushing Attorney General of the United States and of counsel for the appellants it is now here considered adjudged and decreed by this court that this appeal be, and the same is hereby dismissed.

Per Mr Ch: Js Taney

The United States Appeal from the
85 vs Appts. District Court of
Raymundo Carillo the United States
for the Southern
District of California

This cause came on
to be heard on the transcript of the
record from the District Court of the
United States for the Southern District
of California, and on the motion of Mr.
Cushing Attorney General of the United
States and of counsel for the appellants
it is now here considered adjudged and
decreed by this court that this appeal
be and the same is hereby dismissed.

per Mr. Ch. Jus Taney

The United States Appeal from the
86 vs Appts. District Court of
Chs Marian Bonilla the United States
for the Southern
District of California and on the motion
of Mr. Cushing Attorney General of the
United States and of counsel for the
appellants it is now here considered

adjudged and decreed by this Court that this appeal be and the same is hereby dismissed

Per Mr. Ch: Jus Taney

87 The United States Appeal from the Dist. Court of the United States for the Southern District of California
vs
George H Hamby

This cause came on to be heard on the the transcript of the record from the District Court of the United States for the Southern District of California, and on the motion of Mr. Cushing Attorney General of the United States and of counsel for the appellants it is now here considered adjudged and decreed by this Court, that this appeal be and the same is hereby dismissed

Per Mr. Ch: Jus Taney

88 The United States vs Jose' Jesus Pico

Appeal from the District Court of the United States for the Southern District of California

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of California and on the motion of M'Clenahan Attorney General of the United States and of Counsel for the appellants it is now here considered adjudged and decreed by this court that this appeal be and the same is hereby dismissed.

Per M'r Chief Justice Taney

89 The United States vs Theodore Gonzales

Appeal from the District Court of the United States for the Southern District of California

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of

California, and on the motion of Mr Cushing Attorney General of the United States and of counsel for the appellants, it is now here considered adjudged and decreed by this Court that this appeal be and the same is hereby dismissed

per Mr Chief Jus Taney

The United States Appeal from the
90 " Appt District Court of
Charles Patton the United States
for the Southern
District of California and on the motion
of Mr Cushing Attorney General of the
United States and of counsel for the
appellants, it is now here considered, ad-
-judged and decreed by this court that
this appeal be and the same is hereby
dismissed

per Mr Chief Jus Taney

The United States Appeal from the
91 " Appt District Court of
Salvador Espinosa the United States
for the Southern

District of California, and on the motion of Mr Cushing Attorney General of the United States and of counsel for the appellants it is now here considered, adjudged and decreed by this court that this appeal be and the same is hereby dismissed.

P. Mr Ch: Jus Taney

The United States. Appeal from the Dis-
vs trict Court of the
Bernardo Yorba United States for
the Southern District
of California

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of California and on the motion of Mr Cushing attorney General of the United States and of counsel for the appellants it is now here considered adjudged and decreed by this Court that this appeal be and the same is hereby dismissed

93 The United States vs The heirs of Rafael Gomez — Appeal from the District Court of the United States for the Southern District of California.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of California and on the motion of Mr Cushing Attorney General of the United States and of counsel for the appellants it is now here considered adjudged and decreed by this Court that this appeal be and the same is hereby dismissed

For Mr Ch: Jus Taney

94 The United States vs Rafael Gonzales. — Appeal from the District Court of the United States for the Southern District of California.

This cause came on to be heard on the transcript of the record from the District Court

of the United States for the Southern District of California, and on the motion of Mr. Cushing Attorney General of the United States and of counsel for the appellants, it is now here considered adjudged and decreed by this court that this appeal be and the same is hereby dismissed

Per Mr. Justice Bradley

The United States Appellant from the
95 D Appellee District Court of
Diego Olivera et al the United States
for the Southern
District of California

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of California, and on the motion of Mr. Cushing Attorney General of the United States and of counsel for the appellants, it is now here considered adjudged and decreed by this court that this appeal be and the same is hereby dismissed

Per Mr. Justice Bradley

The United States Appeal from the
96 vs District Court of
Augustin Yauseus the United States for
the Southern District
of California.

This cause came on to be heard
on the transcript of the records from the
District Court of the United States for
the Southern District of California and
on the motion of Mr Cushing Attorney
General of the United States and of Coun-
-sel for the appellants it is now here
considered adjudged and decreed by
this court that this appeal be and
the same is hereby dismissed

Roger B. Taney

The United States Appeal from the Dis-
97 vs Appls -trict Court of the Uni-
Maria Antonia de -ted States for the South-
la y Labaillade -ern District of Cali-
-fornia

This cause came on to be heard on
the transcript of the records from the Dis-
-trict Court of the United States for the

Southern District of California, and on the motion of Mr Cushing Attorney General of the United States and of Counsel for the appellants, it is now here ordered, adjudged and decreed by this court that this appeal be and the same is hereby dismissed

Pr Mr Ch: Jus Taney

98 The United States Appeal from the Dist. Court of Andres Duarte the United States for the Southern District of California.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of California and on the motion of Mr Cushing Attorney General of the United States and of Counsel for the appellants it is now here ordered adjudged and decreed by this Court that this appeal be and the same is hereby dismissed

Pr Mr Ch: Jus Taney

The United States Appeal from the
110 vs Appls District Court of
Vincent Contra the United States
for the Southern Dis-
-trict of California

This cause came on to
to heard on the transcript of the record
from the District Court of the United
States for the Southern District of
California and on the motion of Mr
Cushing Attorney General of the United
States and of Counsel for the appellants
it is now here considered adjudged and
decreed by this court that this appeal
be and the same is hereby dismissed.
Pr Mr Ch: Jus Taney

The United States Appeal from the
111 vs Appls District Court of
Francisco Branch the United States
for the Southern
District of California

This cause came on
to be heard on the transcript of the record
from the District Court of the United

States for the Southern District of California and on the motion of Mr Cushing Attorney General of the United States and of counsel for the appellants, it is now here considered adjudged and decreed by this court that this appeal be and the same is hereby dismissed

Pr Mr Ch: Jus Taney

The United States Appeal from the District
112 vs Appts Court of the United
Francisco Ruiz Torres States for the Southern
District of California.

This cause came on to be heard on the transcript of record from the District Court of the United States for the Southern District of California and on the motion of Mr Cushing Attorney General of the United States and of counsel for the appellants, it is now here considered adjudged and decreed by this court that this appeal be and the same is hereby dismissed

Pr Mr Ch: Jus Taney

The United States Appeal from the District
113 vs Appt. Court of the United
Henry Dalton States for the Southern
District of California

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of California and on the motion of Mr Cushing attorney General of the United States and of counsel for the appellants it is now here considered adjudged and decreed by this court that this appeal be and the same is hereby dismissed

R M Ch: Jus Taney

The United States Appeal from the
114 vs Appt. District Court of
Arachasio Carrillo the United States
for the Southern
District of California

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District

of California and on the motion of Mr Cushing Attorney General of the United States and of Counsel for the appellants it is ordered considered adjudged and decreed by this court that this appeal be and the same is hereby dismissed

By Mr Ch: Jus Taney

The United States Appellants from the
115 vs Appellee District Court of
Joaquin Estrada the United States
for the Southern
District of California

This cause came on to be heard on the transcript of the records from the District Court of the United States for the Southern District of California, and on the motion of Mr Cushing Attorney General of the United States and of Counsel for the appellants, it is now here considered adjudged and decreed by this court that this appeal be, and the same is hereby dismissed

By Mr Ch: Jus Taney

The United States Appeal from the
116 vs Appts District Court of
Fernando Rico of the United States
for the Southern
District of California

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of California and on the motion of Mr Cushing Attorney General of the United States and of Counsel for the appellants, it is now here considered adjudged and decreed that this appeal be and the same is hereby dismissed

Per Mr Ch: Jus Taney

The United States Appeal from the District
117 vs Appts Court of the United
Rafael Castro States for the Southern
District of California

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of

California, and on the motion of Mr. Cushing Attorney General of the United States, and of counsel for the appellants it is now here considered adjudged and decreed by this court that this appeal be and the same is hereby dismissed.

Per Mr. Ch: Jus Taney

118

The United States appeal from the
vs Appeal from District Court of
Joaquin Soto the United States
for the Southern
District of California

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of California and on the motion of Mr. Cushing Attorney General of the United States and of counsel for the appellants. it is now here considered adjudged and decreed by this court that this appeal be and the same is hereby dismissed

Per Mr. Ch: Jus Taney

The United States Appeal from the
119 vs Appt. District Court of
Wm D. Foxen the United States
for the Southern Dis-
-trict of California

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of Cali-fornia and on the motion of Mr Cushing Attorney General of the United States and of counsel for the appellants. it is now here considered adjudged and decreed by this court that this appeal be and the same is hereby dismissed

Pr Mr Ch: Jus Taney

The United States Appeal from the
120 vs Appt. District Court of
Carlos C. Espinosa the United States
for the Southern
District of California

This cause came on to be heard on the transcript of the record from the District Court of the

United States for the Southern District of California and on the motion of Caleb Cushing Attorney General of the United States and of Counsel for the appellant it is now here considered ordered and decreed by this court, that this appeal be and the same is hereby dismissed

Present Chief Justice Taney

121 The United States Appellants vs Andres Castro Appellee

The United States appeal from the District Court of the United States for the Southern District of California.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of California, and on the motion of Mr Caleb Cushing Attorney General of the United States and of Counsel for the appellant, it is now here considered adjudged and decreed by this court that this appeal be and the same is hereby dismissed

122 The United States-Appts. vs Juana B. de Lugo et al. Appeal from the District Court of the United States for the Southern District of California.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of California and on the motion of Mr. Cushing Attorney General of the United States and of Counsel for the appellants it is now here considered adjudged and decreed by this court that this appeal be and the same is hereby dismissed

Pr. R.B.T. Ch: Jus Taney

123 The United States Appts. vs Juan Maria Marron Appeal from the District Court of the United States for the Southern District of California

This cause came on to be heard on the transcript of the record from the District Court of the United

States for the Southern District of California, and on the motion of Mr. Gwin Attorney General of the United States and of Counsel for the appellants it is now considered adjudged and decreed by this Court that this appeal be and the same is hereby dismissed

R. B. Taney

124 The United States Appellants from the Appellee District Court of Eusebio Bernado The United States for the Southern District of California

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of California, and on the motion of Mr. Gwin Attorney General of the United States and of Counsel for the appellants it is now considered adjudged and decreed by this Court that this appeal be and the same is hereby dismissed

R. B. Taney

Tuesday December 22nd 1856 continued

132 The United States Appellants vs Augustin Machadeau Appellee

Appeal from the District Court of the United States for the Southern District of California

This cause came on to be heard on the transcript of the records from the District Court of the United States for the Southern District of California and on the motion of Mr Cushing Attorney General of the United States and of counsel for the appellants it is now here considered adjudged and decreed by this Court that this appeal be and the same is hereby dismissed.

Roger B. Taney

133 The United States Appellants vs Andrew Shattuck

Appeal from the District Court of the United States for the Southern District of California

This cause came on to be heard on the transcript of the records from the District Court of the United States for the Southern District of California and on the motion of Mr Cushing Attorney General

of the United States and of counsel for the appellants it is now here considered adjudged and decreed by this court that the appeal be and the same is hereby dismissed.

R. McK: Jus Taney

The United States Appeal from the
134 The U.S. District Court of
Los Vigas United States for the
Southern District of
California.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of California, and on the motion of Mr Cushing Attorney General of the United States and counsel for the appellants it is now here considered adjudged and decreed by this court that this appeal be and the same is hereby dismissed.

R. McK: Jus Taney

The United States vs Appts Gabriel Ruiz et al

135 Appeal from the District Court of the United States for the Southern District of California.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of California and on the motion of Mr Cushing, Attorney General of the United States and of Counsel for the appellants it is now considered adjudged and decreed by this Court that this appeal be and the same is hereby dismissed

Per Mr Ch: Jus Taney

The United States vs Appts José del Carmen Lugo et al

136 Appeal from the District Court of the United States for the Southern District of California

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern

Tuesday, March 2, 1886 continued

District of California ss. On motion of McConchie Attorney General of the United States and of counsel for the applellant it is now here ordered adjudged and decreed by this Court that this appeal be and the same is hereby dismissed.

Attest: W. Hoy

In the United States Circuit Court

137 for the

Ninth Circuit

Adam D. Contragan of the United States for the Southern District of California.

vs.

Same on motion of the appellant of the appeal from the District Court of the United States for the Southern District of California and on the motion of McConchie Attorney General of the United States and of counsel for the appellant it is now here ordered adjudged and decreed by this Court that this appeal be and the same is hereby dismissed

The United States Appeal from the
138 vs Appl[t]. District Court of the
Jos. Maria Villaviencio United States for
the Southern District
of California.

This cause came on to be heard on the transcript of the records from the District Court of the United States for the Southern District of California and on the motion of Mr Cushing Attorney General of the United States and of counsel for the appellants, it is now here considered adjudged and decreed by this court that this appeal be and the same is hereby dismissed.

P. Wm. Ch: Jus Taney

The United States Appeal from the Dis-
139 vs Appl[t]. -trict Court of the
Jos. Serrano United States for the
Southern District of
California.

This cause came on to be heard on the transcript of the record from the District Court of the United States

for the Southern District of California and on the motion of Mr Cushing Attorney General of the United States and of Counsel for the appellants, it is now here considered adjudged and decreed by this Court that this appeal be and the same is hereby dismissed.

Ordered &c

141 The United States Appeal from the Dist. Court of Upper California

vs

Enrique Avila

This cause came on to be heard on the Transcript of the record from the District Court of the United States for the Southern District of California and on the motion of Mr Cushing Attorney General of the United States and of Counsel for the appellants it is now here considered adjudged and decreed by this Court that this appeal be and the same is hereby dismissed

Ordered &c

The United States Appeal from the
143 vs Apltes District Court of
Michael White the United States
for the Southern
District of California.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of California and on the motion of Mr Cushing Attorney General of the United States and of Counsel for the appellants it is now here considered adjudged and decreed by this Court that this appeal be and the same is hereby dismissed

Pr Mr Ch: Jus Taney

The United States Appeal from the
143 vs Apltes District Court of
Maria Josefa Soberanes the United States
for the Southern
District of California

This cause came on to be heard on the transcript of the record from the District Court of the United

Tuesday December 21st 1886

States for the Southern District of California and on the motion of McCushing Attorney General of the United States and of counsel for the appellants it is now here considered adjudged and decreed by this Court that this appeal be and the same is hereby dismissed

By Mr. Ch: Jas Tancy

The United States Appeal from the Dis-

144 vs Appeal &c. -trict Court of the Nor-
Octavius Gutierrez -th. States for the Sout-
-ern District of Cali-
-fornia

This Cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of California, and on the motion of McCushing Attorney General of the United States and of counsel for the appellants, it is now here considered adjudged and decreed by this Court that this appeal be and the same is hereby dismissed

The United States Appeal from the
145 vs Apptes District Court of
David S. Spence the United States for
the Southern District
of California

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of California, and on the motion of Mr Cushing Attorney General of the United States and of counsel for the appellant it is now here considered adjudged and decreed by this Court that this appeal be and the same is hereby dismissed

Per Mr Ch: Js Taney

The United States Appeal from the
150 vs Apptes. District Court of
Eli Dix et al the United States for
the Southern District
of California

This cause came on to be heard on the transcript of the record from the District Court of the United States for

the Southern District of California and on the motion of Mr Cushing Attorney General of the United States and of Counsel for the appellants, it is now here considered adjudged and decreed by this court that this appeal be and the same is hereby dismissed.

Wm Wm: Mr Taney

The United States Appellants vs The
152 vs Appellees District Court of
Rafael Sanchez The United States
for the Southern
District of California

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of California and on the motion of Mr Cushing Attorney General of the United States and of Counsel for the appellant, it is now here considered adjudged and decreed by this Court that this appeal be and the same is hereby dismissed.

Wm Wm: Mr Taney

The United States Appeal from the District
153 vs Appts. Court of the United
Jose de la Guerra States for the Southern
y Noriega District of California.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of California and on the motion of Mr. Cushing Attorney General of the United States and of counsel for the appellants it is now here considered adjudged and decreed by this court that this appeal be and the same is hereby dismissed.

R. Mr. Ch: Jus Taney

The United States Appeal from the Dis-
156 vs Appts. -trict Court of the
Jose Antonio de la United States for the
Guerra y Carrillo Southern District of
California.

This cause came on to be heard on the transcript of the record from the District Court of the Uni=

-ted States for the Southern District of California and on the motion of Mr. Cushing Attorney General of the United States and of Counsel for the appellants, it is now here considered, adjudged and decreed by this court that this appeal be and the same is hereby dismissed.

Pr. M. Ch: Jus Taney

157 The United States Appellants } Appeal from the District Court of the United States for the Southern District of California.
Victoria Reid }

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of California and on the motion of Mr. Cushing Attorney General of the United States and of Counsel for the appellants it is now here considered adjudged and decreed by this Court that this appeal be and the same is hereby dismissed.

Pr. M. Ch: Jus Taney

The United States Appeal from the Dis-
153 vs Appl. -trict Court of the
Chs. Solas Ortega United States for
the Southern District
of California

This cause came on to be heard
on the transcript of the record from the
District Court of the United States for
the Southern District of California,
and on the motion of Mr. Cushing Attor-
-ney General of the United States and
of Counsel for the appellants it is now
here considered adjudged and decreed
by this court that this appeal be and the
same is hereby dismissed

R. Mr. Ch: Jus Taney

The United States Appeal from the
160 vs Appl. District Court of
David Spence the United States
for the Southern Dis-
-trict of California

This cause came on to be
heard on the transcript of the record from
the District Court of the United States

for the Southern District of California and on the motion of Mr Cushing Attorney General of the United States and of counsel for the appellants, it is now here considered adjudged and decreed by this court that this appeal be and the same is hereby dismissed

Roger B. Taney

The United States
vs
Manuela Carrillo de Jones et al

Appeal from the District Court of the United States for the Southern District of California

162

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of California, and on the motion of Mr Cushing Attorney General of the United States and of counsel for the appellants it is now here considered adjudged and decreed by this court that this appeal be and the same is hereby dismissed

Roger B. Taney

163 The United States vs James Stokes — Appeal from the District Court of the United States for the Southern District of California

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of California and on the motion of Mr Cushing, Attorney General of the United States and of Counsel for the appellants, it is now here considered, adjudged and decreed by this court that this appeal be and the same is hereby dismissed

Dr Mr Ch: Jus Taney

Proclamation being made the Court is adjourned until to-morrow morning at Eleven o'clock

VOL

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Wednesday December 3rd 1856

Pursuant to adjournment the Court met this morning at the Capitol

Present.-

The Honorable Roger B. Taney chief Justice
John McLean
Jas M. Wayne
John Catron
Peter V. Daniel
Robert C. Grier
Benj. R. Curtis
John A. Campbell
} Associate Justices

Josiah A. Stearns Esquire Marshal
William Thomas Carroll Clerk

Proclamation being made the Court is opened.

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9 The United States
vs
Geo. W. Stewart
and
10 The United States
vs
Charles LeBaron

The argument of this causes was commenced by Mr Attorney General Cushing of counsel for the plaintiffs in error continued by Mr Stuart of counsel for the defendant in error and concluded by Mr Attorney General Cushing

Wednesday December 3rd 1856 continued

for the plaintiffs in error.-

Mr Justice Campbell having been of counsel did not sit in this cause

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Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock

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Friday December 6th 1850

Pursuant to adjournment the Court met this morning at the Capitol

Present—

The Honorable John McLean
James M. Wayne
John Catron
John McKinley
Peter V. Daniel
Samuel Nelson
Benjamin R. Curtis
John Campbell

Associate Justices

Clerk & Peter Hogan Esquire Marshal
William Thomas Carroll Esquire Clerk.

Proclamation being made the Court is opened

Rensselaer & Saratoga Rail Road Co. vs Joshua Nachtrieb	The argument of this cause was commenced by Mr Stanbery of Counsel for the appellants and continued by Mr Chilton of Counsel for the appellee

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Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock

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5102 Friday December 5th 1856

Pursuant to adjournment the court met this morning at the Capitol

Present—

The Honorable John McLean
James M. Wayne
John Catron
Peter V. Daniel
Robert C. Grier
Benjn. R. Curtis
John Campbell
} Associate Justices

Jonah D. Hoover Esquire Marshal
William Thomas Carroll Clerk

Proclamation being made the court is opened

29	Adolphus Aurant vs Appt Samuel Laurence	Mr Loring (for Mr Curtis) of counsel for the appellees moved the Court to set down this cause for argument immediately after No 46. on consideration whereof this Court not being now sufficiently advised of and concerning what order to make in the premises took time to consider.

11	Cornelius & Parker et al vs Appts. Action Dismissed	The argument of this Cause was continued by Mr Stanton for the appellees & concluded by Mr Loomis of Counsel for the appellants.

Proclamation being made the Court is adjourned until Monday morning at Eleven o'clock

Monday December 8th 1856

Pursuant to adjournment the Court met this morning at the Capitol

	Present	
The Honorable	John McLean	
	James M Wayne	
	John Catron	Associate
	Peter V Daniel	Justices
	Samuel Nelson	
	Robert C Grier	
	Benj R Curtis	
	John Campbell	

Jonah D Hoover Esquire Marshall
William Thomas Carroll Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr Gillet - it is ordered that John Willard Esquire of New York be admitted to practice as an Attorney and counsellor of this Court and he was sworn accordingly.-

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On motion first made to the Court in this behalf by Mr Blair - it is ordered that James E Munford Esquire of Mis-

-ourt be admitted to practice as an attorney and counsellor of this court and it was sworn accordingly --

29	Adolphus Lamont Appt vs Samuel Lamoreaux	On consideration of the motion made by Mr Young of counsel for the appellees on the first day of this term and on Friday the 5th inst. it is now ordered by the court that the said motion be and the same is hereby overruled

11	Sebastian Willett Jun Plff in Err vs John F. Handford	A printed argument by Mr Glover of counsel for the defendant in error in this cause was submitted to the court.

10	The United States Plff in Err vs Charles L. Baron	A printed argument by Mr Stewart of counsel for the defendant in error in this cause was submitted to the court.

The State Mutual Fire Ins Co Comp'y 12 vs Plff in Error Lavius F Cornell et al	The argument of this cause was commenced by Mr Loomis of counsel for the plaintiffs in error continued by Mr E. M. Stanton of counsel for the defendants in error and concluded by Mr Loomis for the plaintiffs in error
Elizabeth Howe 13 vs Appt Roy Gunn et al	This cause was submitted to the consideration of the Court on the record and printed arguments by Mr J Randall of counsel for the appellant and by Mr C. J Bradley of counsel for the appellees
E G Rogers & co claimants of the cargo Tooley, Nicol & co owners of Schooner Ella 14 vs Appts The Steamer St Charles & Clay the claimants	This cause was argued by Mr Benjamin of counsel for the appellants and by Mr Nelson of counsel for the appellees

Proclamation being made the court is adjourned until tomorrow morning at Eleven o'clock.

Thursday December 9th 1756

Pursuant to adjournment the Court met this morning at the Capitol

Present.

The Honorable	John M.c Lean	
	James M.c Dowall	
	John Eaton	
	Peter T. Daniel	Associate
	Edm.d Nelson	Justices
	Robert G. Grier	
	Hugh Rebarker	
	Thos. Campbell	

Isaac D. Hoover Esquire Marshal
William Thomas Carroll Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by M.r Recorder Atkinson it is ordered that Josiah Collins Jr. Esquire of North Carolina be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.—

Tuesday December 9th 1856 ...

15	William H. Symmes vs Jeffe in a	This cause was ...
	Lyons H. McCormick	...

Counsel for the plaintiff in error ... -fused by Prosecution of Counsel for the defendant in error

---

Proclamation being made ... is adjourned until tomorrow morning at Eleven o'clock

Wednesday December 4th 1856

Pursuant to adjournment the Court met this morning at the Capitol

Present—

The Honorable	John McLean	
	James M. Wayne	
	John Catron	
	Peter V. Daniel	Associate
	Samuel Nelson	Justices
	Robert C. Grier	
	Benjn. R. Curtis	
	John A. Campbell	

Enoch L. Hoover Esquire Marshal
William Thomas Carroll Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr. Tyson — it is ordered that William H. Crabb Esquire of Pennsylvania be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly —

Wednesday December 16th A.D. Eighteen 3511

15	William H Seymour dec vs Jeffs in er Cyrus H McCormick	The argument of this cause was continued by Messrs Dickerson & Kennedy & Watson of counsel for the defendant in error and concluded by Wm E McChesney of counsel for the plaintiff in error

Proclamation being made, the court is adjourned until tomorrow morning at eleven o'clock.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable	John McLean	Associate Justices
	John Catron	
	Samuel Nelson	
	Robert C Grier	
	Benjn R Curtis	
	John Campbell	

Josiah A Hoover Esquire Marshal
William Thomas Carroll Clerk

Proclamation being made the Court is opened.

16	James Stevens-Plff in Er. vs Royal Gadding et al	This cause was submitted to the consideration of the court on the record and printed argument by Mr Fine of counsel for the appellees.

	The Ocean Ins Co & Co owners of Steam Ins Boat Star of Peace Appts vs The Ocean Queen and Crescent City and The owners of Ship Ocean Queen — Appts	Messrs Cushing and Cutting moved the Court to set down these three cases for argument when No. 54 is reached in the regular call of the docket — Whereupon it is now here ordered by the Court that these three cases be argued together, and that they be set down for argument when No. 54 is reached in the regular call
22		
54		
	The claimants of the Crescent City — and The claimants of the Crescent City — Appts vs The owners of the Ship Ocean Queen —	
55		
	of the docket	
17	Reuben L Long et al vs John O' Fallon Appts	This cause was argued by Mr Sigo of counsel for the appellees and

and submitted on a printed argument by Mr Ellmore of counsel for the appellants

18	W C Lathrop - pltff in err vs Charles Hudson	This cause was argued by Mr Taylor of counsel for the plaintiff in error and submitted on a printed argument by Mr Benjamin of counsel for the defendant in error

21	Robert L Vandewater vs Appt Edward Mills, claimt of Steamship Yankee Blade	The argument of this cause was commenced by Mr Cutting of counsel for the appellant and continued by Mr Blair of counsel for the appellee and concluded by Mr Cutting for the appellant.

23	John F Coleman et al vs Appts Laurent Millaudon et al	This cause was argued by Mr Benjamin of counsel for the appellees

Mr Justice Campbell having been

of counsel did not sit in this cause

Proclamation being made the court is adjourned until tomorrow morning at eleven o'clock.

8/16 Friday December 12th 1856

Pursuant to adjournment the court met this morning at the Capitol

-Present.-

The Honorable	Roger B Taney	Chief Justice
	John McLean	
	James M Wayne	
	John Catron	Associate
	Samuel Nelson	Justices
	Robert C Grier	
	Benjn R Curtis	
	John A Campbell	

Hugh A Hoover Esquire Marshal
William Thomas Carroll Clerk

Proclamation having made the court is opened

On motion first made to the court in this behalf by Mr Phillips - it is ordered that David S Dickson Esquire of Georgia be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.-

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Friday December 12th 1851 continued from

The owners of the Steamer Roanoke - Appts vs Ezra Baldwin et al	It this day Counsel for the appellants filed and read in open court the following motion in writing, to wit:-

42

"In the above cause, the court is hereby moved to allow the appellants, to amend the words already filed in this cause by adding thereto and making a part thereof, the additional depositions hereto annexed, and with regard to which the clerk of the Circuit Court of the United States for the Southern District of New York, from which court the said cause comes to this court, reports, that they were not incorporated in said record, a return, by reason of their having been accidentally omitted, and the Proctors for the Libellants and Appellees having consented that an order amending the aforesaid record so as to incorporate therein the said depositions may be made by the court as moved". Now here moved the court that the said corrections be

Friday December 12th 1856 continued

made— On consideration whereof, it is now here ordered by the Court that the said Corrections in this cause be amended accordingly and that the said depositions & supplemental record be incorporated with and made a part of the record in this cause.

Thomas J. Coggeshall, William Coggeshall and Cook Borden
vs
Appl[ts]
James Hartshorn and Winslow Ames——

Appeal from the Circuit Court of the United States for the District of Massachusetts

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts and on the stipulation filed by the counsel of the respective parties that the following decree should be entered— On consideration whereof and on the motion of Mr Curtis of counsel for the appellants. it is now here ordered

adjudged, and decreed that so much of the decree of the Circuit Court as required payment by the appellants to the appellees of the sum of six thousand nine hundred and forty five dollars and sixty three cents and interest thereon as profits and six hundred and sixty one 661/100 dollars as costs be and the same is hereby reversed - and that so much of the said decree as relates to an injunction restraining the appellants, their agents and servants and assigns from using certain patterns and stops therein mentioned be and the same is hereby affirmed and the injunction made perpetual - and that the said Circuit Court be and the same is hereby directed to enter a full satisfaction of all damages and costs in this cause And it is further ordered and decreed by this Court that neither party to pay any costs in this or the Circuit Court in this cause

R. Taney Ch: Jus

Friday December 12th 1856 Continued

24	E. J. Lafont & Nemours & Co. vs. Appts. for Jane Claimt. of the Brig Jno Elizabeth	The argument of this Cause was commenced by Mr Gerhard of Counsel for the appellants continued by Mr Bayard of Counsel for the appellees and concluded by Mr Gerhard for the appellants

Proclamation being made the Court is adjourned until Monday morning at Eleven o'clock.

Pursuant to adjournment the court met this morning at the Capitol

Present.—

The Honorable Roger B. Taney, chief justice
John McLean
James M'Kinley
John Catron, Associate
John Campbell, Justices
Samuel Nelson
Robert C. Grier
Benjn R. Curtis
Peter Hansbrough

Josiah S. Keerin Esquire Marshal
William Thomas Carroll Clerk

Proclamation being made the court is opened

Said Supt. Plff in er
vs
The T. N. Sandford

The argument of this cause was commenced by Mr. Blair & counsel for the plaintiff in error

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Proclamation being made the court is adjourned until tomorrow morning at 11 o'clock.

Tuesday December 16th 1856

Pursuant to adjournment the Court met this morning at the Capitol

Present.—

The Honorable	Roger B. Taney,	Chief Justice
	John Mc Lean	
	James M Kinley	
	John Catron	Associate
	Peter V Daniel	Justices
	Samuel Nelson	
	Robert C Grier	
	Benj. R Curtis	
	John A. Campbell	

Josiah D Hoover Esquire Marshal
William Thomas Carroll Esquire

Proclamation being made the Court is opened

Cornelius L Baker et al		Appeal from the
11	vs Appts.	Circuit Court of
Joshua Hochstrit		the United States
		for the Western

District of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Circuit Court of the

United States for the Western District of Pennsylvania and was argued by Counsel— On consideration whereof, it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby reversed with costs, and that this cause be and the same is hereby remanded to the said Circuit Court with direction to dismiss the bill in this case with costs

Pr Wm Jus: Campbell

The United States
vs
Charles L Barron

10

In error to the Circuit Court of the United States for the Southern District of Alabama.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Alabama and was argued by counsel— On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and

the same is hereby reversed, and that this cause be and the same is hereby remanded to the said Circuit Court with directions to award a venire facias de novo.—

Pr Mr Justice Curtis

9 The United States vs Pliffs in error Geo. R. Stewart

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of Alabama and was argued by counsel— On consideration whereof it is now here ordered and adjudged by this court that the judgment of the said Circuit Court in this cause be and the same is hereby reversed, and that this cause be and the same is hereby remanded to the said Circuit Court with directions to award a venire facias de novo

Pr Mr Justice Curtis

And Scott Esqr on the part of the Defendant in error	The argument of this Cause was Continued by Mr Sergt of Counsel for the

Proclamation being made the Court is adjourned until tomorrow morning at 10 o'clock.

Wednesday December 17th 1856

Pursuant to adjournment the Court met this morning at the Capitol.

Present—

The Honorable	Roger B Taney	Chief Justice
	John M'Lean	
	James M'Kinley	
	John Catron	Associate
	Peter V Daniel	Justices
	Samuel Nelson	
	Robert C Grier	
	Benjn R Curtis	
	John A Campbell	

Enoch D Hoover Esquire Marshal
William Thomas Carroll Clerk

Proclamation being made the Court is opened

6	The United States Appt vs The Brig "Aurora" her tackle &c William Kohler, claimant	Appeal from the District Court of the United States for the Northern District of California

This cause came on to be heard on the transcript of the records from the

Wednesday December 1st 1858 Continued &c.

District Court of the United States for the Northern District of California and was argued by Counsel — On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said District Court in this cause be and the same is hereby reversed, and that this cause be and the same is hereby remanded to the said District Court for further proceedings to be had therein in conformity to the opinion of this Court and as to law and justice appertain

Per Curiam

Pierre F Garnerat
vs
Levant Richardson et al

53

Motion to dismiss or reduce Appeal & Order of Court pro tem appointed

Plaintiff, moved the Court for leave to file the printed Brief of Counsel which had been ordered by the Clerk of this Court upon the argument of the case on the 11th instant — Motion for this Court not being now sufficiently advised of and reserving what order to render on the premises for the present time to consider —

Wednesday December 17th 1856 continued

Lud. Scott - pltff in e vs John F. A. Sandford	The argument of this cause was continued by Mr. Ransay Johnson of Counsel for the defendant in error.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Thursday December 15th 1836 [illegible]

Pursuant to adjournment the court met this morning at the Capitol

Present.—

The Honorable	Roger B. Taney	Chief Justice
	Henry Baldwin	
	James Mc Kinley	
	John Catron	Associate
	Peter V. Daniel	Justices
	Saml Nelson	
	Joseph Story	
	Benjn Curtis	
	John Campbell.	

Enoch Lincoln Esquire Marshal
William Thomas Carroll Clerk

Proclamation being made the court is opened

On motion first made to the court in this behalf by Mr Seward it is ordered that James K. Dark Esquire of New York be admitted to practice as an attorney and counsellor of this court and he was duly accordingly

Pierre F. Cocion et al vs Laurent Millandon et al	On consideration of the motion made in this cause yesterday it is now here ordered by the court that said motion be and the same is hereby granted — And that Messrs Hunt & Ogden of counsel for the appellants have leave to file their printed brief in this case. —

Pierre F. Cocion et al vs Laurent Millandon et al	This cause was submitted to the court on the printed brief & argument of Messrs Hunt & Ogden of counsel for the appellants. —

Lord Scott-Appellee vs John F. Sandford	The argument of this cause was concluded by Messrs Blair & Curtis of counsel for the plaintiff in error

Proclamation being made the court is adjourned until tomorrow morning at Eleven o'clock

Pursuant to adjournment the Court met this morning at the Capitol

Present.—

The Honorable	Hugh L. Bond,	Presiding Justice.
	Geo. Stockton	
	John Purviance	
	Wm. Gwinn	Associate
	Wm. F. Giles	Justices
	Edward Otis	
	Robert G. Harris	
	Richard Sappington	
	Wm. H. Gamble	

Clerk of Baltimore County Court & Register in Chancery Court Present.

Benjamin King made application to

On motion ordered by the Court that he be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.—

The Washington, Alexandria and Georgetown Steam Packet Company— pffs in er 213 v Fred'k E. Sickles Fireman Cook use of George Mattingly—	In Error to the Circuit Court of the United States for the District of Columbia holden in and for the County of Washington.

14th Bradley of counsel for the defendants in error having filed and read in open court the following certificate, to wit:

"District of Columbia

County of Washington, to wit:—

I John F. Smith, Clerk of the Circuit Court of the District of Columbia for the County of Washington, do hereby certify that in a certain judgment rendered by said court at the October Term thereof, to wit, on the 14th day of December in the year Eighteen hundred and fifty five, in which Frederick E. Sickles and Fireman Cook use of George Mattingly, were plaintiffs, and the Washington, Alexandria and Georgetown Packet Company was defendant, the said defendant filed his

appeal bond, and thereupon a writ of Error was issued in said 19th day of December, to carry said cause to the Supreme Court of the United States returnable to the next December Term of said Supreme Court that is to say from 1856.— and further entry that said writ of Error is still pending, and all proceedings thereby suspended in the said Circuit Court.—

In testimony whereof I have hereunto subscribed my name and affixed the Seal of said Court this 11th December 1856.

Seal

John A. Smith Clerk

And forasmuch also that the said plaintiff in error has altogether failed to file the record of said cause in this court, or in any way to prosecute said writ of error, now here moved the court in pursuance of the 63rd rule of this court, to have this writ of error docketed and dismissed — On consideration whereof, it is now here ordered and adjudged by this court that

this writ of error to the Circuit Court of the United States for the District of Columbia holden in and for the County of Washington be and the same is hereby docketed and dismissed with costs, and that this cause be and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity to law and justice the said writ of error notwithstanding.—

Pr Mr Ch: Jno Taney

Burr H Bell - Appt
vs
Wm H. Lewis et al

On motion of Mr Butler of counsel for the appellant and with the assent of Mr Johnson of counsel for the appellees, it is now here ordered by this Court that the decree entered in this cause on or prior day of the present term, to wit, on Tuesday the 2d instant, be and the same is hereby rescinded and annulled, and that leave be and the same is hereby granted to said counsel to argue this cause next after 12 o'clock the case now under argument

The State of Alabama 6 vs Comp[t] The State of Georgia	On the motion of Mr Phillips of counsel for the complainant and

with the assent of Mr Storrs of the Counsel for the respondent - it is now here ordered by the court that this cause be and the same is hereby continued to the next term. —

Robert Taylor-plaintiff in error 61 vs Nathan F. Carry who survived William Ward	Mr Cochran of counsel for the plaintiff in error having filed a suggestion of the

death of Robert Taylor the plaintiff in error since the last continuance of this cause moved the court for leave to enter the appearance of James L Taylor and Samuel L Taylor administrators of the Robert Taylor deceased, as plaintiffs in error in this cause — On consideration whereof, it is now here ordered by the court that the appearance of the said James L Taylor and Samuel L Taylor

administrators of Robert Taylor, deceased be and the same is hereby entered as the plaintiffs in error in this cause with liberty to prosecute this writ of error.—

Ex parte:— David A. Noonan.

Mr Badger having filed and read in open court the petition of David A. Noonan moved the court for a rule to be served upon the Judges of the Supreme Court of the Territory of Minnesota to shew cause why a peremptory mandamus should not be issued, commanding them to restore the petitioner to his office of Attorney and Counsellor of said Supreme Court— Whereupon this court not being now here sufficiently advised of and concerning what order to make in the premises took time to consider.

---

25 James Meegan-plff in error
vs
Jeremiah F. Boyle

The argument of this cause was commenced by Mr Geyer of counsel for the plaintiff in error

and continued by Mr Williams of
counsel for the defendant in our

Proclamation being made the Court
is adjourned until Monday morning
at eleven o'clock

Monday December 22d 1856

Pursuant to adjournment the court met this morning at the Capitol

Present—

The Honorable	Roger B. Taney,	Chief Justice
	John McLean	
	James Millayne	
	John Catron	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Robert C Grier	
	Benj[a]n R Curtis &	
	John Campbell	

Josiah A Hoover Esquire Marshal
William Thomas Carroll Clerk

Proclamation being made the court is opened

On motion first made to the Court in this behalf by Mr Gillet it is ordered that H. Richardson Esquire of New York, and Charles S. Bryant Esquire of Ohio be admitted to practice as attorneys and counsellors of this court and they were severally sworn accordingly

On motion Levi made to the court in this behalf by Mr Laurence it is ordered that Harry Offutt Esquire of Minnesota Territory be admitted to practice as an Attorney and Counsellor of this court and he was sworn accordingly

25 James Morgan - plff in er
vs
Jeremiah T. Boyle

The argument of this cause was continued by Mr Crittenden of counsel for the defendant in error and concluded by Mr Boyle of counsel for the plaintiff in error

26 Joseph Tufts - plff in er
vs
Henry Simons & Lewis Benjamin who compose the commercial Firm of Simons & Co

In error to the Circuit Court of the United States for the Eastern District of Louisiana

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Louisiana

and the plaintiff in error having been three times solemnly called by the Marshal to come into court and prosecute this writ of error and failing to appear— it is thereupon on the motion of Messrs Baldwin & Bingle, of counsel for the defendants in error, now here ordered and adjudged by this court that this cause be and the same is hereby dismissed with costs.—

Ex. M.C. Chief Justice Taney

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27 Terence Cousin—pltff in er
vs
Evariste Blanc's exr. et al

This cause was argued by Mr Benjamin of counsel for the defendants in error on the question of jurisdiction

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28 Saml L. Hurst—pltff in er
vs
Ch. E. Chouteau, Executors &c

This cause was argued by Mr Benjamin of counsel for the defendant in error

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Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock

Tuesday December 23d 1856

Pursuant to adjournment the Court met this morning at the Capitol—

Present.—

The Honorable	Roger B Taney	Chief Justice
	John M'Lean	
	James M Kayne	
	John Catron	Associate
	Peter V Daniel	Justices
	Sam'l Nelson	
	Robt C. Grier	
	Benja R Curtis	
	John A Campbell	

Josiah A Hoover Esquire Marshal
William Thomas Carroll Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr Taylor— it is ordered that Augustus Hall and Joseph C Knapp Esquires of Iowa be admitted to practice as Attorneys and Counsellors of this Court and they were severally sworn accordingly.—

Isaac Hathorn et al 30 vs Horace H. Day	The argument of this cause was commenced by Mr. O'Connor of Counsel for the plaintiffs in error and continued by Mr. Richardson of counsel for the defendant in error.

Mr. Justice Curtis having been of counsel did not sit in this cause

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Pursuant to adjournment the Court met this morning at the Capitol

Present—

The Honorable	Roger B. Taney,	Chief Justice
	John McLean	
	James M'Kinley	
	John Catron	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Robert C. Grier	
	Benjn Curtis	
	John A Campbell	

Jonah D Hoover Esquire Marshal
William Thomas Carroll Clerk

Proclamation being made the Court is opened

Elizabeth Moore — Appt 13 vs Ray Greene & Benjamin C. Hawkins.	On appeal from the Circuit Court of the United States for the District of Rhode Island.

This cause came on to be heard on the transcript of the record from the

Circuit Court of the United States for the District of Rhode Island and was argued by counsel - On consideration whereof, it is now here ordered adjudged and decreed by this court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs

Pr Mr Justice McLean

39	Obadiah H. Platt - vs Jeffries Chauncey Jerome	In error to the Circuit Court of the United States for the Southern District of New York

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and on the motion of Mr Collamer of counsel for the plaintiff in error, stating that the matters in controversy had been agreed and settled between the parties - it is now here ordered and adjudged by this court that this cause be and the same is hereby dismissed each party paying his own costs. -

Pr Mr Ch: Jus Taney

The Commercial Mutual Marine Insurance Comp'y vs Edward Oliver	Appeal from the Circuit Court of the United States for the District of Massachusetts.

43

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts and on the stipulation filed by the counsel of the respective parties— On consideration whereof, and on the motion of Mr Curtis of counsel for the appellee, it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar decrees bear in the courts of the State of Massachusetts.—

R M Taney Ch: Jus

Wednesday December 24th 1856. Continued

Isaac Harkness et al
vs
Pliff in er
Horace H. Hay

The argument of this cause was continued by Mr Sinclair of counsel for the defendant in error and concluded by Mr O'Connor of counsel for the plaintiffs in error

Mr Justice Curtis having been of counsel did not sit in this cause

Proclamation being made the Court is adjourned until Friday morning at eleven o'clock.

Pursuant to adjournment the Court met this morning at the Capitol

Present.—

The Honorable	Roger B Taney,	Chief Justice
	John McLean	
	James Mulayne	
	John Catron	Associate
	Peter V Daniel	Justices
	Samuel Nelson	
	Benjn R Curtis	
	John A Campbell	

Josiah O Hoover Esquire Marshal
William Thomas Carroll Clerk

Proclamation being made the Court is opened

The State Mutual Fire Insurance Company vs Pltffs in Err Daniel F Connell & John A Carter

12

In error to the Circuit Court of the United States for the Western District of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United

States for the Western District of Pennsylvania and was argued by Counsel - On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Pennsylvania

By a divided Court -

216 | Eneas McDaniel plff in error vs James C. Ramsey | In error to the District Court of the United States for the District of Iowa

Mr Taylor of counsel for the defendant in error having filed a transcript of the record of this cause duly certified by the Clerk under the seal of the District Court of the United States for the District of Iowa, and having stated that the plaintiff in error had altogether failed to file the record of said cause in this court or in any way to prosecute

the writ of error in this case, from the Supreme Court in pursuance of the 25th sec. of this Court, it does this writ of error docketed and dismissed for want of jurisdiction whereof, it is now here ordered and adjudged by this Court that this writ of error to the District Court of the United for the District of Iowa be and the same is hereby docketed and dismissed with Costs and that this cause be and the same is hereby remanded to the said District Court for further proceedings to be had therein in conformity to law and justice the said writ of error notwithstanding

Pr Mr. Chief Justice Taney

Amos E. Ives, claimant of Steamer Fisher-Hyde 32 vs Amos M. Coffman claimants of Flat Boat Cargo	The argument of this cause was commenced by Mr. Taylor of counsel for the appellant

Further hearing of this cause is postponed until Monday morning at eleven o'clock. —

Monday December 29th 1856

Pursuant to adjournment the Court met this morning at the Capitol

Present —

The Honorable	Roger B. Taney,	Chief Justice
	John McLean	
	James Mitchell	
	John Catron	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Robert C. Grier	
	Benj. R. Curtis	
	John A. Campbell	

Josiah S. Hoover Esquire Marshal
William Thomas Carroll Clerk

Proclamation being made the Court is opened

Reuben L. Long, Wm J. Pennie		
& Amelia Pennie his wife		Appeal from the
& Ellen Pennie by her guar-		Circuit Court of
-dian John J. Pennie		the United States
17	vs Appls	for the District
John O'Fallon		of Missouri

This cause came on to be heard on the

hanscript of the record from the Circuit Court of the United States for the District of Missouri and was argued by Counsel— On consideration whereof, it is now ordered, adjudged and decreed by this court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs—

per Mr Justice Campbell

William Thomas, Southmayd Barnes, Nathaniel Russell the owners of the Barque Laura vs James H. Osborn	Appeal from the Circuit Court of the United States for the District of Maryland

8

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Maryland and was argued by counsel— On consideration whereof, it is now here ordered adjudged and decreed by this court that the decree of the said Circuit Court in this cause be and the same is hereby reversed with costs, and that this

cause be and the same is hereby reversed with costs, and that this cause be and the same is hereby remanded to the said Circuit Court with directions to dismiss the libel with costs.—

Pr Mr Jus: Curtis

Dissenting — Mr Ch: Jus Taney
Mr Jus Wayne Mr Jus McLean

Sebastian Chilot, John McDonald v Joseph Hunne	In error to the Circuit Court of the
" vs Pepper & Co	United States for the
John F. A. Sandford	District of Missouri

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Missouri and was argued by Counsel— On consideration whereof, it is now here ordered and adjudged by this court that the judgment of the said Circuit Court in this cause be and the same is hereby reversed with costs, and that this cause be and the same is hereby remanded to the said Circuit Court with direction to award a venire facias de novo.—

Pr Mr Jus: Catron

The Commercial Mutual Marine Ins. Co.		motion of Counsel for the defendant in Error moved the
43	Ap'lt's	
	vs	
Edward Oliver		

Court for leave to the Clerk to issue a writ of Recordare in this cause as soon as one can be procured - On consideration whereof it is now ordered by the Court that the leave prayed for be and the same is hereby granted.

James H. Nye, claimant of the Steamer Bishop Ap'lt.	The argument of this cause was continued by Mr Benjamin of Counsel for the appellee & concluded by Mr Taylor of Counsel for the appellant.
32	
vs	
James H. Coffman claimant of Flat boat Reaper	

Wesley Williams, garnishee of Edward F. Thacker	The argument of this cause was commenced by the Attorney of Counsel for
33	
Appellee in a	
Cause in Chancery &c.	

the plaintiff in error and continued by Mr Hilliard of counsel for the defendants in error

Proclamation being made the Court is adjourned until to-morrow morning at eleven o' clock.

Tuesday December 30th 1856

Pursuant to adjournment the Court met this morning at the Capitol

Present.—

The Honorable	Roger B Taney	Chief Justice
	John McLean	
	James M Kayne	
	John Catron	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Robert C Grier	
	Benjamin Curtis	
	John Campbell	

Sarah A. Horn Equity Maryland
William Thomas Daniel Clark

Proclamation being made the Court is open

James Reed Executor - Plaintiff in Error		In error to the Circuit Court of the United States for the
534	V	
Murray Hoffman		

Western District of Pennsylvania.

Mr Stanton

of counsel for the defendant in error having filed and read in open court the following

certificate, viz:—

"In the Circuit Court of the United States for the Western District of Pennsylvania—

Murray Hoffman a citizen of the State of New York.	No 3 of
vs	May Term
James Ross, Thomas Ross, John Ross, Luke McClure James McDermot, Philip Kline, Joseph Oakley, Roger Elliott, John Rockland, Elisha Firth, James Burgus, Peter Flanagan, Jr. Alex Anderson John McSmith, Timothy Crowley, Fredrick Youngling, Valentine Glass, Moses Glass, Geo Noble, Peter Adams, Michael Farrell, Patrick Sanchez, Jeremiah Sanchez, John Burdeau, Joseph Mills, Franklin Holland, Thomas Williamson, Peter Crowley, Pat. McAlear Moses Glass, Geo Vandalike, Anthony Swayers, James Crawford, and John F. Schultz, citizens of Pennsylvania.	1855
	Ejectment

I, Henry Shroat, Clerk of the Circuit Court of the United States for the Western District of Pennsylvania

do hereby certify that on the first day of December 1855, judgment was entered in favor of the plaintiff against the defendant in the above suit with 6 cents damages and costs.—

And I do further certify that on the seventh day of December 1855 the defendant sued out a writ of error to the Supreme Court of the United States returnable the first day of next term at Washington City (which was allowed by the court) to reverse the judgment in said suit and that a citation was issued and served upon the counsel of the plaintiff.—

In testimony whereof, I have hereunto subscribed my name and affixed the seal of the said Court at Pittsburgh this eighth day of January A.D. 1856, and of the Independence of the United States the Eightieth

H. Sproat, Clerk"

and having stated to the court that the plaintiffs in error have altogether failed to file the record of said cause in this court or in any way to prosecute said

writ of error – now here moves the Court in pursuance of the 63d rule of this Court to have this writ of error docketed and dismissed. –

On consideration whereof, it is now here ordered and adjudged by this court that this writ of error to the Circuit Court of the United States for the western District of Pennsylvania be and the same is hereby docketed and dismissed with costs, and that this cause be and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity to law and justice the said writ of error notwithstanding.

fr Mr Ch: Jus Taney

225

Christoval Monk, J. N. D'Hébécourt, H. Bistes, the widow Augustin Gregoire, Francis M. Fisk, Mrs D. Lingi, the wife of Louis Lingi, & Jean Esteva –

vs

The New Orleans Draining Company

In error to the Supreme Court of the State of Louisiana for the Eastern

District.

Mr Janin of counsel for the defendants in error having filed and read in open court the following certificate, viz:—

"Supreme Court of the State of Louisiana ex.

I. Eugene Lacoe, Clerk of the Supreme Court of the State of Louisiana, for the Eastern District, do hereby certify that in suit of the New Orleans Draining Company praying for the confirmation of a tax lien heretofore pending in the said Supreme Court, a final judgment was rendered by the said Supreme Court on the twenty first day of April A.D. 1856: that on the first day of May A.D. 1856, the following parties to said suit, viz:- Christian Roselius, F. N. D'Hebecourt, H. Gisler, the widow Augustin Grigore, Francis M. Fisk, Mrs. A. Sarpy, the wife of Louis Sarpy, and Jean Esteran applied to the Hon.ble E. T. Merrick, Chief Justice of the State of Louisiana for a writ of error to remove the said suit and the record thereof to the Supreme Court of the United States, and that on the first day of May A.D. 1856, the said Chief Justice

granted the said writ of error returnable on the first Monday of December following the date of said application.—

In testimony whereof I have hereunto signed my name, and affixed the seal of this court, at the City of New Orleans, on the thirteenth day of December A.D. 1856

Eugene Lasere, Clerk"

and having stated that the plaintiffs in error had altogether failed to file the record of said cause in this Court or in any way to prosecute said writ of error— now here moved the court in pursuance of the 63rd rule of this court to have this writ of error docketed and dismissed.

On consideration whereof, it is now here ordered and adjudged by this court that this writ of error to the Supreme Court of the State of Louisiana for the Eastern District be and the same is hereby docketed and dismissed with costs, and that this cause be and the same is hereby remanded to the said Supreme Court for further proceedings to be had therein in conformity to law and

justice the said writ of error notwithstanding

Per M.C.Ch: Mr Taney

Nicholas Filgimmons et al 226 vs Jeffs in & The New Orleans Brain= =ing Company	In error to the Supreme Court of the State of Louisiana for the Eastern

District

Mr Janin of counsel for the defendants in error having filed and read in open Court the following certificate, viz:—

"Supreme Court of the State of Louisiana E.D.

I, Eugene Lasire, Clerk of the Supreme Court of the State of Louisiana, for the Eastern District, do hereby certify that in the suit of the New Orleans Brain=ing Company praying for the confirmation of a tableau heretofore pending in the said Supreme Court, a final judgment was rendered by the said Supreme Court on the twenty first day of April A.D. 1856. that on the second day of July A.D. 1856. the following parties to said suit viz: Nicholas

Fitzimmons, Jonas Pickles, Felix Batatut, John Arrowsmith wife, Elizabeth Goslenberger, Geage Holt & J. Robert, L. Cousay, A. C. Barette, Simon Baham, Lubin Donaldo, Pierre Conteron, Jean Manes, D. Pieton, Etienne Emanville and widow Charles Maximin applied to the Honble John A. Campbell Associate Justice of the Supreme Court of the United States for a writ of error to remove the said suit and the record thereof to the Supreme Court of the United States, and that on the second day of July A.D. 1856 the said Associate Justice of the Supreme Court of the United States granted the said writ of error returnable on the first Monday of December following the date of said application.—

In testimony whereof I have hereunto signed my name, and affixed the seal of this court, at the city of New Orleans, on the thirteenth day of December A.D. 1856.

Eugene Lasère Clerk "

and having stated that the plaintiffs in

error had altogether failed to file the record of said cause in this Court & in any way to prosecute said writ of error now here moved the Court in pursuance of the 6th rule of this Court to have this writ of error dockted and dismissed —

On consideration whereof, it is now here ordered and adjudged by this Court that this writ of error to the Supreme Court of the State of Louisiana for the Eastern District be and the same is hereby dismissed and dismissed with costs, and that this cause be and the same is hereby remanded to the said Supreme Court for further proceedings to be had therein in conformity to law and justice the said writ of error notwithstanding. —

P. M. Ch. Jus Taney

Wesley Williams, garnishee of Edward F. Mathews — 33

vs

Jeff in error

Hall, McLean & Co

The argument of this cause was concluded by Mr. Phillips of counsel for the plaintiff in error.

Tuesday December 31st 1850 continued.

27	Terence Cousin - plff in er vs Etariste Blanc's Exrs &c	The argument of this cause was commenced by Mr Janin of counsel for the plaintiff in error continued by Mr Benjamin of counsel for the defendants in error and concluded by Mr Janin for the plaintiff in error
28	Jean L. Prevost - plff in er vs Charles E Gueneaux Exrs &c	Mr Janin of counsel for the plaintiff in error moved the Court for leave to file a printed argument in this cause - On consideration whereof it is now here ordered by the court that the leave prayed for be and the same is hereby granted. -
34	William H. Shaffer - plff in er vs James H. Sandday	The argument of this cause was commenced by Mr Benjamin of counsel for the plaintiff in error, continued by Mr Taylor of counsel for the defendant in error and concluded by Mr Benjamin

for the plaintiff in error.—

Proclamation being made the court is adjourned until to-morrow morning at eleven o'clock

Pursuant to adjournment the court met this morning at the Capitol

Present—

The Honorable	Roger B. Taney,	Chief Justice
	John McLean	
	James M Kayne	
	John Catron	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Robert C. Grier	
	Benjn. R. Curtis	
	John A. Campbell	

Enoch L Hoover Esquire Marshal
William Thomas Carroll Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr. Hall. it is ordered that Joshua L Brown Esquire of New-York be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

2	Benjamin F. Morgan-Jeff'n a/ vs Alfred G. Centennis & al	This cause was submitted to the consideration of the court on the record and printed argument by Mr Washburn of counsel for the plaintiff in error.—

36	William K. Post & al, claim'ts of the cargo &c of ship Richmond vs Appl'ts John H. Sims et al	The argument of this cause was commenced by Mr O'Connor of counsel for the appellants, continued by Mr Ford of counsel for the appellees and concluded by Mr O'Connor for the appellants.—

Proclamation being made the court is adjourned until Friday morning at eleven o'clock

Friday January 2d 1857

Pursuant to adjournment the court met this morning at the Capitol

Present.—

The Honorable	Roger B. Taney,	Chief Justice
	John McLean	
	James M'Kinley	
	John Catron	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Robert C. Grier	
	Benjn. Robbins Curtis	
	John A. Campbell	

Jonah D Hoover Esquire Marshal
William Thomas Carroll Clerk

Proclamation being made the court is opened

On motion first made to the court in this behalf by Mr Curtis — it is ordered that Samuel H. Bates, Henry C. Hutchins, & David Thaxter Esquires of Massachusetts be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly

35	Moses C. Madeira &c Appts vs Wm R Lindsay owners of the Schooner Mary Eddy &c	The argument of this cause was commenced by Mr Phillips of Counsel for the appellants, continued by Mess R Johnson jr and R. Johnson Esq of Counsel for the appellee and concluded by Mr Phillips for the appellants.—
28	Jean L. Prevost-pff in er vs Charles E. Greneaux Trustee &c	This cause was submitted to the Court on the printed argument of Mr Janin of Counsel for the defendant in error.—
5	Burr H. Bells-Appt vs John H. Lewis & wife	The argument of this cause was commenced by Judge Butler of Counsel for the appellant, continued by Mr Reverdy Johnson of Counsel for the appellees and concluded by Mr Butler for the appellant.—

Proclamation being made the court is adjourned until Monday morning at eleven o'clock

Pursuant to adjournment the Court met this morning at the Capitol.

Present.—

The Honorable	Roger B. Taney	Chief Justice
	John McLean	
	John Catron	Associate
	Samuel Nelson	Justices
	Robert C. Grier	
	Benjn. Robbins	
	John Campbell	

Mark S. Kerr Esquire Marshal
William Thomas Carroll Clerk

Proclamation being made the Court is opened.

The Chief Justice Taney made the following remarks—

Gentlemen of the Bar, you are already sufficiently apprized of the calamity which has befallen our Brother Judge Daniel, in the sudden and unexpected death of his wife. An event and cause for him, and the sincere sympathy we feel for him personally as well as our sense of what is due to him as a member of

this tribunal, will prevent the Court from proceeding to day with the business of the term – The funeral of Mr Daniel will take place tomorrow, which the mem-bers of the court will attend – We shall there-fore adjourn until Wednesday morning to meet at the usual hour and proceed with the duties of the Court. –

Proclamation being made the court is adjourned until Wednesday morning at eleven o'clock

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Pursuant to adjournment the court met this morning at the Capitol

Present.—

The Honorable	Roger B. Taney	Chief Justice
	John McLean	
	James M. Wayne	Associate
	John Catron	Justices
	Robert C. Grier	
	Peter V. Daniel	
	John Campbell	

Enoch S. Hoover Esquire Marshal
William Thomas Carroll Clerk

Proclamation being made the Court is opened

Robert L. Vandewater Appt. vs Edward Mills, Claimt. of the Steamship "Yankee Blade" her tackle &c.	Appeal from the Circuit Court of the United States for the District of California

21

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of California and was

argued by counsel - On consideration whereof, it is now here ordered, adjudged & decreed by this court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs. -

per M. Chas: Grier

E & L. Rogers and L. & J. Rogers, merchants and copartners doing business under the name and style of E & L. Rogers &c, part owners of the cargo of the Schooner Ella - & R. Brooks & J. & L. Randolph merchants & copartners doing business under the name and style of Brooks & Randolph & Thomas Sullivan trading under the name of John Hanley &c part owners of the cargo of the Schooner Ella -

14 vs Appts.

The steamer St. Charles, James L Day, Adam Wolfe, John Geddes, John Grant, Roger J. Keirne, and Robert Geddes claimants. -

Appeal from the Circuit Court of the United States for the Eastern District of Louisiana. -

This cause came

came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Louisiana and was argued by counsel - On consideration whereof it is the opinion of this Court that the appeals of Brooks and Randolph and Finley and Company should be dismissed for the want of jurisdiction, on the ground that the amount in controversy in each of the said cases is less than $2000= and it is also the opinion of this Court that the Steamer St. Charles was in fault, and that the decree of the said Circuit Court in the cases of E. E. Rogers & Company and Pooley, Nicell & Company should be reversed and the cause remanded for an apportionment of the loss in these two appeals - Whereupon it is now here ordered, adjudged and decreed by this Court that the appeals of Brooks and Randolph and of Finley & Company be and the same are hereby dismissed for the want of jurisdiction, and that the decree of the said Circuit Court in the cases of

E. P. Rogers & Company and Proctor, Nicoll & Company be and the same are hereby severally condemned with costs, and that this cause be and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity to the opinion of this court and as to law and justice shall appertain.—

Jas. M. Thos: Nelson

William H. Seymour and Clayton S. Morgan-Appellants v Cyrus H. McCormick	In error to the Circuit Court of the United States for the Northern District of New York

15

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of New York and was argued by counsel— On consideration whereof, it is now here ordered and adjudged by this court that the judgment of the said Circuit Court in this cause excepting that part embracing the taxation of costs in the Circuit Court be and the same is hereby affirmed

with costs— and it is further ordered and adjudged by this court that this cause be and the same is hereby remanded to the said Circuit Court with direction to strike from the record the taxation of costs in this cause

per Mr. Justice Nelson

Dissenting
Mr. McKinley

C. C. Lathrop—pff in er
vs
Charles Judson

18

In error to the Circuit Court of the United States for the Eastern District of Louisiana

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Louisiana and was argued by counsel— On consideration whereof, it is now here ordered and adjudged by this court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs and damages at the rate of ten

per centum per annum

Per Mr Jno: McLean

Romeline & Baker use vs 11 Appt. Joshua Nachtrieb	On the motion of Mr Loomis (per Mr Reverdy Johnson) of Counsel for the plaintiff in error it is now here ordered by the court that the clerk may issue a writ of procedendo in this cause as soon as the same can be conveniently prepared

Spalding & Rogers-Appts in Er vs 37 The Corporation of Baton Rouge	This cause having been called for argument and no counsel appearing ready to proceed with the same-it is thereupon now here ordered by the Court that this cause be and the same is hereby postponed to the foot of the docket pursuant to the 36 rule of Court.—

38 Thomas Richardson vs Jeffries The City of Boston	On the motion of Mr Bartlett of Counsel for the plaintiff in error and with the assent of the counsel for the defendant in error - It is now here ordered by the Court that this cause be and the same is hereby postponed for the present -

40 Frederick Perkins Jacob Perkins vs Appleton Winthrop & Babbidge vs Claimants &c of Ship Angelique	The argument of this cause was commenced by Mr Keating of Counsel for the appellants and continued by Mr E. G. Parker of Counsel for the appellees

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock

Thursday January 8th 1857

January it adjournment the court met this morning at the Capitol

Present.—

The Honorable	Roger B. Taney	Chief Justice
	John McLean	
	James M'Kinley	
	John Catron	Associate
	Saml Nelson	Justices
	Robert C. Grier	
	Benj.n R. Curtis	
	John A. Campbell	

Jonah D. Hoover Esquire Marshal
William Thomas Carroll Clerk

Proclamation being made the court is opened

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40 Roderick Schuchardt &c vs Appts.
Winthrop S. Babbidge &c
Claimts. &c of Ship Angelique

a/k/a Fellers.—

The argument of this cause was concluded by Mr Benedict of counsel for the

41 Lorain A. Slater - pff in er
v
Charles Emerson

The argument of this cause was commenced by Mr. Bates of counsel for the plaintiff in error, continued by Mr Hutchins of counsel for the defendant in error and by Mr Bartlett of counsel for the plaintiff in error

Proclamation being made the court is adjourned until tomorrow morning at eleven o'clock

Friday January 9th 1857

Pursuant to adjournment the court met this morning at the Capitol

Present.—

The Honorable	Roger B. Taney.	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	associate
	Samuel Nelson	Justices
	Robert C. Grier	
	Benj.n R. Curtis	
	John A. Campbell	

Jonah D. Hoover Esquire Marshal
William Thomas Carroll Clerk

Proclamation being made the Court is opened

John Brown Pltff in Er vs Duschene.—	Mr Austin of counsel for the defendant in error having filed and read in open court a stipulation of the respective counsel in this case in the words & figures following, to wit:—

115

"It is agreed by the counsel for the plaintiff in error and defendant in error

that the record in said case may be a-
-mended by striking out therefrom the
money counts in the plaintiffs declaration-
the said counts were stricken out in the
court below and appear in the record be-
-fore this court by mistake in the offic
of the clerk of the court below

Rich'd H. Dana Jr. for pltff
Jared J. Austin for deft

And moved the court for leave to amend the record
accordingly — In consideration whereof it is
now here ordered by the court that the
money counts in the plaintiff declaration
in this cause be and they are hereby stric-
-en from the record pursuant to the terms
of the aforesaid stipulation of the counsel
for the respective parties. —

Obadiah H. Platt vs pltff in er Chauncey Forsyth	39

And now the counsel of counsel for
the defendant in error
having filed and read
in open court a motion
in the words and figures following, to wit:-

"And now the counsel for defts in error
come into court and move that the asse-

of the court of Dec 24, dismissing the said writ of error be vacated, and that said cause may be restored to the Calendar for argument, because they say —

That said motion to dismiss was made without notice, ex parte, and before the cause was reached on the Calendar — it allowed the defendant to take a proceeding in the cause, in person, when he had an attorney on record —

Previously to the signing of said stipulation by the defendant, he had become and was bankrupt and insolvent, and all his legal interest in the judgment below which was for costs only, had passed from him by the decree of insolvency and appointment of a trustee in the court of probate for the District of New Haven in the State of Connecticut where said defendant resides, to the jurisdiction of which court he was by law subject, and by the dismission of said cause, the costs not being paid the heir of the defendants counsel in this court and the Court below for their fees will be wholly lost. —

Wherefore they move the court that

said order be vacated and said cause be restored to the Calendar for argument—

By S. F. Hughes &
L. H. S. Foster for defts in error

moved the Court accordingly— Whereupon Mr. Collamer of counsel for the plaintiff in error stated that he was opposed to said motion and moved the Court to set down the same for argument next Friday— On consideration whereof, it is now here ordered by the Court that the motion of Messrs Hughes & Foster be and the same is hereby set down for argument next Friday the 16th instant—

Horatio N. Hates - pltff in er vs Charles Emerson	The argument of this cause was concluded by Mr Bartlett of counsel for the plaintiff in error—

41

The New York & Virginia Steamship Company owners of the Steamer Roanoke Appts vs Ezra Calderwood et al	The argument of this cause was commenced by Mr Van Buskirk of counsel for

42

the appellants, continued by Mr Benedict of counsel for the appellees and concluded by Mr Van Winkle for the appellants

The Bell Jeff'n et al vs Columbus Delano et al	The argument of this cause was commenced by Mr Baxter of counsel for the plaintiff in error

44

Proclamation being made the court is adjourned until Monday morning at ten o'clock

Pursuant to adjournment the court met this morning at the Capitol

Present.—

The Honorable	Roger B. Taney.	Chief Justice
	John McLean	
	James M. Wayne	Associate
	John Catron	Justices
	Robert C. Grier	
	Benjn R. Curtis	
	John A. Campbell	

Isaac D. Hoover Esquire Marshal
William Thomas Carroll Clerk

Proclamation being made the court is opened

On motion first made to the court in this behalf by Mr. Wm M. Fisher - it is ordered that W. Fletcher Lapsley Esquire of Ohio be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

James H. Ilee, claimant of the Steamer Liberty - Appt 32. vs James McCoffman, Cyrus Coffman, owners of Flat Boat and Cargo	Appeal from the Circuit Court of the United States for the Eastern District of Louisiana

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Louisiana and was argued by counsel - On consideration whereof, it is now here ordered, adjudged & decreed by this court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs and interest until paid at the same, per annum. That similar decree bear in the courts of the State of Louisiana

per M. Chief Justice Wayne

James Stevens - Appellee 18 vs Royal Gladding & Isaac C. Pond, doing business under the firm of Gladding & Pond	in error to the Circuit Court of the United States for the District of Rhode Island

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Rhode Island and was argued by counsel— On consideration whereof, it is now here ordered and adjudged by this court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs.—

per Wm: McLean

Ex parte: In the matter of David A. Ecombe	On application for a rule on the Judges of the

Supreme Court of the Territory of Minnesota

On consideration of the motion for a rule on the Judges of the Supreme Court for the territory of Minnesota to show cause why a peremptory mandamus should not be issued

commanding them to restore the relator said A. Scoombe Esquire, to the office of an Attorney and Counsellor at Law of said Supreme Court, and of the argument of Counsel thereupon had - it is now here ordered by this Court that the said motion be and the same is hereby overruled

per N. Ch. Hon: Taney

John Bell, pff in er vs 44 Columbus C. Kennedy et al	The argument of this cause was continued by Mr Barker of Counsel for the plaintiff in error by Mr Laurence and Taylor of counsel for the defendants in error and by Mr Peverly Ashton of counsel for the plaintiff in error

Proclamation being made the Court is adjourned until tomorrow morning at eleven o' clock

Pursuant to adjournment the court met this morning at the Capitol.-

Present.-

The Honorable	Roger B. Taney,	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	Associate
	Samuel Nelson	Justices
	Robt C Grier	
	Benj R. Curtis	
	John A Campbell	

Jno A Hoover Esquire Marshal
William Thomas Carroll Clerk

Proclamation being made the court is opened

Wesley Williams, Garnishee of Edward J. Mahone Vs Jeffries Ellis, McLean & Co	In error to the District Court of the United States for the Middle District

23

of Alabama

This cause came on to be heard on the transcript of the record from the District Court of the United States

for the Middle District of Alabama and was argued by Counsel — On consideration whereof, it is now ordered and adjudged by this Court that the judgment of the said District Court in this cause be and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Alabama

per Curiam: Campbell

Jean Louis Prevost vs Duff M'Crea & Charles C. Duncan, Treasurer of the State of Louisiana	28	In error to the Supreme Court of the State of Louisiana

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Louisiana and was argued by Counsel — On consideration whereof, it is now here ordered and adjudged by this court that the judgment of the said Supreme Court in this cause be and the same is

hereby affirmed with costs.—
per Mr Ch: Jus. Taney

John Bell - pff in er vs Columbus & Hayward	The argument of this cause was concluded by Mr Johnson for the plaintiff in error

Levi Morrell - pff in er vs John G. Myers	Mr Fessenden having filed and read in open court a stipulation of the parties in the words and figures following to wit.

"It being for an adjustment of the above action having been agreed upon, by the parties thereto, it is mutually agreed and understood, that the above entitled cause shall stand continued, until the next term of the Supreme Court—
December 9th 1856 Levi Morrill, pff in er
Attest— Edwd Fox J G Myers, deft in er

Tuesday January 13th 1857 continued

It is thereupon now here ordered by the court that this cause be and the same is hereby continued to the next term of this court pursuant to the terms of the said stipulation

John Brown - plff in er 45 vs ——— Lucheene	This cause was argued by Mr Austin of Counsel for the defendant in error and submitted on a printed argument by Mr Lane of Counsel for the plaintiff in error.—

Albert Ballard et al 147 vs plffs in er Philip H Thomas, collector	Mr Attorney General Cushing (for Mr Gillet) moved the court to set down this cause for argument on some fixed day during the present term — On consideration whereof, it is now here ordered by the court that said motion be and the same is hereby overruled.—

George R. Simpson et al vs Jeffs in error Charles A. Peasley collect- -or &c	Mr Attorney General Cushing (Gen Att: Gillet) moved the Court for leave to

the Counsel of the respective parties to submit this cause on printed arguments— On consideration whereof, it is now here ordered by the court that said motion be and the same is hereby overruled.—

Proclamation being made the court is adjourned until to morrow morning at eleven o'clock

Wednesday January 14th 1857

Pursuant to adjournment the court met this morning at the Capitol.

Present.—

The Honorable	Roger B. Taney,	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	Associate
	Samuel Nelson	Justices
	Robert C. Grier	
	Benj R. Curtis	
	John A. Campbell	

Jonah D. Hoover, Esquire, Marshal
William Thomas Carroll, Clerk

Proclamation being made the court is opened

On motion first made to the court in this behalf by Mr Reverdy Johnson it is ordered that William A. Grove Esquire of Illinois be admitted to practice as an attorney and Counsellor of this court and he was sworn accordingly

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Augustus Hemmenway, claimant of ship Independence vs Appt's 46 William B. Fisher	The argument of this cause was commenced by Mr Charles G. Loring of counsel for the appellant and continued by Mr Thaxter of counsel for the appellee

Thomas D. Ronalds Exrs vs Appt's 58 John H. Lewis	On the motion of Mr Beverly Chew of counsel for the appellee - it is now here ordered by the Court that the account this date filed by him in this case be incorporated in the record of said cause and that the same be printed as a part of the record -

Proclamation being made the Court is adjourned until to morrow morning at eleven o'clock

Pursuant to adjournment the Court met this morning at the Capitol

Present.—

The Honorable	Roger B. Taney	Chief Justice
	John McLean	
	James M Wayne	
	John Catron	Associate
	Samuel Nelson	Justices
	Robert C. Grier	
	Benj R. Curtis	
	John A. Campbell	

Jonah D Hoover Esquire Marshal
William Thomas Carroll Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr Gillet— it is ordered that Thomas Turner, Esquire of Mt Sterling, State of Kentucky be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

Pierre Felix Cenon & Marie J. F. Cenon, a minor by her next friend Pierre Felix Cenon — Appts.	Appeal from the Circuit Court of the United States for the East- ern District of Louisi- ana.
23 vs	
Laurent Millandon, Edward Shiff, Syndic &c of Alexander Kessler &c	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Louisiana and was argued by counsel — On consideration whereof, it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs. —

R. M. Trs: Nelson

116	Augustus Hemmenway, claim[t] of ship Independence vs Appt. William E. Fisher	The argument of this cause was continued by Mr Bartlett of counsel for the appellee and concluded by Mr Loring of Counsel for the appellant

47	Joseph Fellows, survivi of Robert Kindle - piff in er vs Susan Blacksmith & Ely S. Parker, admr of John Blacksmith dec[d]	The argument of this cause was commenced by Mr Brown of counsel for the plaintiff in error

2	Benjamin F. Morgan vs piff in er Alfred E. Cortenius & John L. Griswold	Upon an inspection of the records of this cause it appearing to the court here that the Bill of exceptions states that "the defendants offered in evidence to the jury a certificate of the Register of the

Land Office at Quincy, dated ——
which is in the words and figures
following, to wit " and that the said
certificate thus referred to is not in-
-serted in the exception nor its contents
stated in any part of the transcript-
On consideration whereof, it is now ord-
ered by the Court that a writ of
certiorari be and the same is hereby
awarded to be issued forthwith, and
to be directed to the Judges of the Circuit
Court of the United States for the District
of Illinois commanding them to supply
the omission above mentioned and return
a full and correct transcript to this
Court, with the writ, on or before the first
day of the next term of this Court. —
Pr Mr Ch: Jus Taney

2 | Benjamin F. Morgan
vs
Plaintiff in Er
Alfred G. Carteris &
John L. Crisswell | It is now here ordered by the Court that this cause be and the same is hereby continued to the next term

116	Augustus Hemmenway, claim[t] of ship Independence vs Appt. William E. Fisher	The argument of this cause was continued by Mr Bartlett of counsel for the appellee and concluded by Mr Loring of Counsel for the appellant

47	Joseph Fellows, Survivi of Robert Kindle - Pff in er. vs Dean Blacksmith & Ely S. Parker, admr of John Blacksmith dec[d]	The argument of this cause was commenced by Mr Brown of counsel for the plaintiff in error

2	Benjamin F. Morgan vs Pff in er Alfred G. Curtenius & John L. Griswold	Upon an inspection of the records of this cause it appearing to the court here that the Bill of exceptions states that "the defendants offered in evidence to the jury a certificate of the Register of the

Land Office at Quincy, dated ——
which is in the words and figures
following, to wit " and that the said
certificate thus referred to is not in-
-serted in the exception nor its contents
stated in any part of the transcript-
On consideration whereof, it is now here
adered by the court that a writ of
certiorari be and the same is hereby
awarded to be issued forthwith, and
to be directed to the Judges of the Circuit
Court of the United States for the District
of Illinois commanding them to supply
the omission above mentioned and return
a full and correct transcript to this
court, with the writ, on or before the first
day of the next term of this court.—
Per the Ch: Jus Taney

2	Benjamin F. Morgan vs Pfeiffer Alfred G. Cartenius & John L. Gridwood	It is now here adered by the court that this cause be and the same is

hereby continued to the next term

of this court.—

Proclamation being made the court is adjourned until tomorrow morning at eleven o'clock

Pursuant to adjournment the court met this morning at the Capitol

Present.—

The Honorable	Roger B. Taney,	Chief Justice
	John McLean	
	James M. Wayne	
	Samuel Nelson	Associate
	Robert C. Grier	Justices
	Benj R. Curtiss	
	John A Campbell	

Jonah D Hoover Esquire Marshal
William Thomas Carroll Clerk.

Proclamation being made the court is opened

206

The claimants & owners of the steamer Virginia vs Appltes Richard H. Westcott et al	Mr Beverly Tucker of counsel for the appellees moved the court to dismiss this appeal because the record was not filed at the term when it was returnable — Whereupon this court not being now here sufficiently advised of and concerning what order to make in the premises took time to consider

216	Eneas McKaine - pff in er vs James C. Ramsey	Mr Beverly Johnson of counsel for the plaintiff in error moved the Court

to rescind and annul the judgment of this court docketing and dismissing this writ of error on a prior day of the present term of this court to wit, on the 26th ult and for leave to file and docket the case in conformity to the rules of this Court - which was opposed by Mr Taylor of counsel for the defendant in error - Whereupon this Court not being now here sufficiently advised of and concerning what order to make in the premises took time to consider.—

47	Joseph Fellows, survivor of Robert Kinkle - pff in er vs John Blackemith's admrs	The argument of this Cause was continued by Mr Brown of counsel for the plaintiff in error, and by Mr Martindale of counsel for the defendant in error.—

Proclamation being made the court is adjourned until Monday morning at eleven o'clock

Monday January 19th 1857

Pursuant to adjournment the court met this morning at the Capitol

Present.—

The Honorable	John McLean	
	James M Wayne	
	John Catron	Associate
	Samuel Nelson	Justices
	Robert C Grier	
	Benj Curtis	
	Wm A Campbell	

Noah A Hoover Esquire Marshal
William Thomas Carroll Clerk

Proclamation being made the Court is opened

On motion first made to the court in this behalf by Mr Gillet — it is ordered that Lyman B. Smith, Esquire of New York be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly

Joseph Fellows, Survivor of Robert Kendle - vs Jeffries & Hinn Blacksmiths arms	The argument of this cause was concluded by Mr Gillet of counsel for the plaintiff in error. -

48 Archibald Babcock vs Appt Edward Wyman	The argument of this cause was commenced by Mr Merrin of counsel for the appellant

Proclamation being made the Court is adjourned until to morrow morning at eleven o' clock

Tuesday January 20th 1857

Pursuant to adjournment the court met this morning at the Capitol

Present—

The Honorable	John McLean	
	James M. Wayne	
	John Catron	Associate
	Samuel Nelson	Justices
	Robert C Grier	
	Benj R. Curtis	
	John A. Campbell	

Jonah D. Hoover Esquire Marshal
William Thomas Carroll Clerk

Proclamation being made the court is opened

Peter H. Betts - Compt. & Appt.	} Appeal from the district Court of the United States for the Northern District of Alabama.—
5 vs	
Richard Lewis & Mary M. Lewis his wife.—	

This cause came on to be heard on the transcript of the record from the District Court of the United States for the northern District of Alabama and

was argued by counsel - On Consideration whereof, it is now here ordered, adjudged and decreed by this Court that the decree of the said District Court in this cause be and the same is hereby reversed with costs, and that this cause be and the same is hereby remanded to the said District Court for further proceedings to be had therein in conformity to the opinion of this court and as to law and justice shall appertain.

Js Mr. Chas: Curtis.

E. & J. Dupont de Nemours & Company, a commercial firm composed of Henry Dupont, Louis Irene Dupont & Eleuthere Irenis Dupont — Appts.

v.

The Brig Ann Elizabeth, her Tackle &c. Claimants.

Appeal from the Circuit Court of the United States for the Eastern District of Louisiana

24

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for

the Eastern District of Louisiana and was argued by counsel - On consideration whereof, it is now here ordered, adjudged and decreed by this court that the decree of the said Circuit Court in this cause be and the same is hereby reversed without costs, and that this cause be and the same is hereby remanded to the said Circuit Court with directions to ascertain the amount of the loss of the libellants in the Ann Elizabeth for the share to be contributed by the vessel towards the loss, sustained by the libellants, and to enter a decree accordingly. —

R. M. Taney: Curtis

dissenting —

" " Campbell
" " Catron
" " Grier

	Thos. Meagan - pltff in error v Jeremiah C. Boyle	In error to the Circuit Court of the United States for the District of Missouri.

25

This Cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Missouri and was argued by Counsel— On consideration whereof, it is now here ordered and adjudged by this court that the judgment of the said Circuit Court in this Cause be and the same is hereby affirmed with costs.—

P. Mr Jus: McLean

52

William Wynn-Plff in er. vs Wheeler B. Morris, Martha Morris & Hezziah Taylor	Mr Pike of Counsel for the plaintiff in error (in Mr Lawrence) suggested the death of William Wynn, the plaintiff in error in this cause and asked leave to make proper parties— Whereupon it is now here ordered by the court that the leave prayed for be and the same is hereby granted and that this cause be continued to the next term.—

72	Josiah Garland-pff in er vs William Wynn	Mr Pike of counsel for the defendant in error (pr Mr Lawrence) suggested the death of William Wynn the defendant in error in this cause and asked leave to make proper parties - Whereupon it is now here ordered by the court that the leave prayed for be and the same is hereby granted, and that this cause be continued to the next term. -

48	Archibald Babcock vs Appl. Edward Wyman	The argument of this cause was continued by Mr Merwin for the appellant and by Mr Bartlett of counsel for the appellee

Proclamation being made the court is adjourned until to-morrow morning at eleven o'clock

Pursuant to adjournment the court met this morning at the Capitol

Present.—

The Honorable	Roger B. Taney,	Chief Justice
	John McLean	
	James M Wayne	
	John Catron	Associate
	Samuel Nelson	Justices
	Robert C. Grier	
	Benj R. Curtis	
	John A Campbell	

Jonah D. Hoover Esquire Marshal
William Thomas Carroll Clerk

Proclamation being made the court is opened.

Archibald Babcock Appt 48 vs Edward Wyman	The argument of this cause was concluded by the leaving of

counsel for the appellant.—

Wednesday January 21st 1857 continued

The Commercial Mutual Marine Ins. Co. Compy vs The Union Mutual Ins. Co of New York	The argument of this cause was commenced by Mr G. T. Curtis of counsel for the appellants and continued by Mr Goodrich of counsel for the appellees.—

Proclamation being made the court is adjourned until tomorrow morning at eleven o'clock

Pursuant to adjournment the court met this morning at the Capitol

Present.—

The Honorable	Roger B. Taney	Chief Justice
	John M'Lean	
	James M. Wayne	
	John Catron	Associate
	Samuel Nelson	Justices
	Robert C. Grier	
	Benjn. Moutin	
	John A. Campbell	

Jonah D. Hoover Esquire Marshal
William Thomas Carroll Clerk

Proclamation being made the court is opened

William A. Shaffer vs 34 Jeffries James A. Sunday	In error to the Supreme Court of the State of Louisiana

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Louisiana and was argued by counsel— On consideration whereof, it is now here ordered

and adjudged by this court that this cause be and the same is hereby dismiss=ed for the want of jurisdiction.—

pr Mr Ch: Jus Taney

Enos McFaul-Plff in er 216 v James C. Ramsey	On consideration of the motion made by Mr Ramsey Stinson of counsel for the plaintiff in error, on Friday the 16. instant, to rescind and annul the judg=ment of this court entered on a prior day of this term, to wit, on Friday the 26 th ultimo, docketing and dismissing this writ of error with costs, and for leave to file the record and docket the cause — it is now here ordered by the court that said judgment be and the same is hereby re-scinded and annulled upon the payment of the costs by the plaintiff in error and upon his having the record filed and the cause docketed in conformity to the rules of this Court.—

pr Mr Ch: Jus Taney

Thomas Richardson 33 v Jeff in a The City of Boston	The argument of this cause was commenced by Mr Bartlett of counsel for the plaintiff in error and continued by Mr Chandler of counsel for the defendant in error.

The Justice Curtis having been of counsel did not sit in this cause

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock

Friday January 23d 1857

Pursuant to adjournment the Court met this morning at the Capitol

Present.—

The Honorable	Roger B. Taney.	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	Associate
	Samuel Nelson	Justices
	Robert C. Grier	
	Benj R. Curtis	
	John A Campbell	

Josiah L Stower Esquire Marshal
William Thomas Carroll Clerk

Proclamation being made the court is adjourned

The Chief Justice Taney remarked as follows

"Gentlemen of the Bar

Mr Carroll the clerk of this court has suffered a painful domestic affliction in the sudden and unexpected death of a son who had just grown up to manhood — The members of the court, as a mark of their respect and sympathy propose to attend the funeral which

will take place to day at one o'clock the shall on that account adjourn at half past twelve"

Obadiah H. Platt vs Jeffrey Chauncey Jerome	The motion made on Friday the 9th instant to reinstate this cause was

argued by Mr Foster in support thereof and by Mr Collamer in opposition to the same

Proclamation being made the court is adjourned until Monday morning at eleven o'clock

Monday January 26th 1857

Pursuant to adjournment the Court met this morning at the Capitol

Present —

The Honorable	Roger B. Taney,	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	
	Samuel Nelson	
	Robert C. Grier	
	Benj. R. Curtis	
	John A. Campbell	

Jonah D. Hoover Esquire Marshal
William Thomas Carroll Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr Reverdy Johnson it is ordered that Samuel Solomon Esquire of New York be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly

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On motion first made to the Court in this behalf by Mr Stanbery - it is ordered

that Frederick N Lane Esquire of New York and L McLean Esquire of Nebraska Territory, be admitted to practice as attorneys and counsellors of this court and they were severally sworn accordingly.—

Thomas Richardson vs Jeffries The City of Boston	The argument of this cause was continued by Messrs Chandler & Loring of counsel for the defendant in error and concluded by Mr Bartlett of counsel for the plaintiff in error.—

38

Proclamation being made the court is adjourned until to morrow morning at eleven o'clock

Pursuant to adjournment the court met this morning at the capitol

Present.

The Honorable	Roger B. Taney	Chief Justice
	John McLean	
	James M. Wayne	Associate
	John Catron	Justices
	Samuel Nelson	
	Robert C. Grier	
	John A. Campbell	

Noah A Hoover Esquire Marshal
William Thomas Carroll Clerk

Proclamation being made the court is opened

On motion first made to the court in this behalf by Mr Sapp it was ordered that Walter H. Smith, Esquire of Ohio be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly

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The New York and Virginia Steamship Company, owners of the steamer Roanoke-

42 vs Appt's

Ezra Calderwood, Thomas C. Bartlett, Lester Carleton, Joshua Norwood, Philander Carleton, Enos Cooper & Seth Cooper - Libls.

Appeal from the Circuit Court of the United States for the Southern District of New York

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York and was argued by counsel - On consideration whereof, it is now here ordered, adjudged and decreed by this court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs, and interest until paid, at the same rate per annum that similar decrees bear in the courts of the State of New York

per Mr Jus: Campbell

144	John Bell plff in er vs Columbus C. Hearne, Samuel R. Hearne, & Samuel H. Lockery.	in error to the Supreme Court of the State of Lou- isiana at Monroe

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Louisiana, at Monroe, and was argued by counsel- On consideration whereof, it is now here ordered, adjudged and decreed by this court that the decree of the said Supreme Court in this cause be and the same is hereby reversed with cost, and that this cause be and the same is hereby remanded to the said Supreme Court for further proceedings to be had therein in conformity to the opinion of this court and as to law and justice shall appertain.-

per Mr Justice Campbell

Isaac Thurston and Daniel Maynard vs Horace H. Day.	in error to the Circuit Court of the United States for the District of Rhode Island.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Rhode Island and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this court that the judgment of the said Circuit Court in this cause be and the same is hereby reversed with costs, and that this cause be and the same is hereby remanded to the said Circuit Court with directions to award venire facias de novo.

Mr Justice Nelson.

	Pierre Conein-Appellee vs Fanny Labatut, widow & testamentary executrix, John A. Hauc executor, & legal representatives of Emile Hauc &c	In error to the Supreme Court of the State of Louisiana for the Eastern District

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Louisiana, for the Eastern District, and was argued by Counsel— On consideration whereof, it is now here ordered, adjudged and decreed by this court that the decree of said Supreme Court in this cause be and the same is hereby reversed with costs, and that this cause be and the same is hereby remanded to the said Supreme Court for further proceedings to be had therein in conformity to the opinion of this Court and as to law and justice shall appertain

per Mr Justice Catron

45 John Brown Jeff'n Er
vs
Duchesne

In error to the Circuit Court of the United States for the District of Massachusetts.

This cause came on to be heard on the transcript of the record from the circuit court of the United States for the district of Massachusetts and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this court that the judgment of the said circuit Court in this cause be and the same is hereby affirmed with costs.—

per Mr Ch: Jus Taney

206 The Claimants and Owners of the Steamer Virginia — Appl'ts
vs
Michael R. West, William T. Bell, Albert R. Heath, and James S. Edwards, partners under the firm of Heath and Edwards; Thomas C. Bunting & ——— Lecate, partners under the firm of Bunting & Lecate, and

Tuesday January 27th 1857 Continued

John Mc. Henderson.

Appeal from the Circuit Court of the United States for the District of Maryland.

This cause came on to be heard on the transcript of the records from the Circuit Court of the United States for the District of Maryland, and on the motion of Mr Reverdy Johnson of counsel for the appellee to dismiss this appeal because the said transcript was not filed during the term next succeeding the appeal, and the same was argued by counsel. On consideration whereof, it is the opinion of this court, that the motion should be granted on the ground that the appeal had not been prosecuted in the manner directed and within the time limited by the act of Congress for filing the transcript in this court during the next succeeding term as aforesaid. It is therefore now here ordered and decreed by this court that this appeal be and

the same is hereby dismissed with costs.
pr Mr Ch: Jus Taney

Adolphus Durant Appt v Samuel Laurence dft	The argument of this cause was commenced by Mr Gillet of counsel for the appellant and continued by Mr Merwin of counsel for the appellees.

Proclamation being made the Court is adjourned untill to-morrow morning at eleven o'clock.

Wednesday January 28th 1857

Pursuant to adjournment the court met this morning at the capitol

Present.

The Honorable	Roger B. Taney	Chief Justice
	John McLean	
	James M. Wayne	Associate
	John Catron	Justices
	Samuel Nelson	
	Robert C. Grier	
	Benj. R. Campbell	

Jonah D. Hoover Esquire Marshal
William Thomas Carroll Clerk

Proclamation being made the court is opened

On motion first made to the court in this behalf by Mr Charles G. Loring it is ordered that Charles P. Curtis Jr Esquire of Massachusetts be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly —

William R Foster et als claimants of the cargo, materials & furniture of the ship Richmond - Appts 36 vs Wm H. Smith, libellants	Appeal from the circuit court of the United States for the Northern District of New York

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York and was argued by counsel - On consideration whereof, it is now here ordered and decreed by this court that the decree of the said circuit court in this cause be and the same is hereby reversed, and that this cause be and the same is hereby remanded to the said Circuit Court with directions to have the amount due to each party adjusted according to the principles stated in the opinion of this court, and that the costs of all parties in this and in the Circuit and District Courts be taxed and paid out of the net proceeds

and that the residue is divided between the claimants and the owners subject to the deduction for freight mentioned in the opinion

per Mr Justice Grier

29	Adolphus Durant vs Appt. Samuel Lawrence et al	The argument of this cause was continued by Messrs Merwin and Loring of counsel for the appellees

Proclamation being made the court is adjourned until to morrow morning at eleven o' clock

Pursuant to adjournment the court met this morning at the Capitol

Present.-

The Honorable	Roger B. Taney	Chief Justice
	John McLean	
	James M. Wayne	Associate
	John Catron	Justices
	Samuel Nelson	
	Robert C. Grier	
	John A. Campbell	

Noah A. Rowe Esquire Marshal
William Thomas Carroll Clerk

Proclamation being made the court is opened

On motion first made to the court in this behalf by Mr Shanley - it is ordered that R. C. Parsons, Esquire, of Ohio and Wm. H. Tucker Esquire of Wisconsin be admitted to practice as attorneys and counsellors of this court and they were severally sworn accordingly

Thursday January 29th 1857 Continued

29	Adolphus Durand-Appt vs Samuel Laurence Resp	The argument of this cause was concluded by Mr Revardy Senior of counsel for the appellant.

Proclamation being made the Court is adjourned until to-morrow morning at eleven o' clock

Pursuant to adjournment the Court met this morning at the Capitol.

Present.-

The Honorable	Roger B. Taney	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	Associate
	Samuel Nelson	Justices
	Robert C. Grier	
	Benj. R. Curtis	
	John A. Campbell	

Josiah A Hoover Esquire Marshal
William Thomas Carroll Clerk.

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr Parker it is ordered that E. J. Lowman Esquire, of New York be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly

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On motion first made to the Court in this behalf by Mr Cooper - it is

ordered that Henry L. Moss, Esquire of Minnesota Territory, be admitted to practice as an Attorney and Counsellor of this court and he was sworn accordingly

William Holcombe - plff in Er.	In Error to the Supreme Court of the Territory of Minnesota.
247 v	
John McKusick, Jonathan E. McKusick, Christopher Carli, Horace McKinstry, Elias McLean & Joseph C. York.	

Mr Horn of counsel for the defendants in error having filed and read in open court the following certificate, to wit:—

"Territory of Minnesota ss: I George W. Prescott, Clerk of the Supreme Court of the Territory of Minnesota, hereby certify that a writ of error from the Supreme Court of the United States has been duly issued and allowed in the above cause, on behalf of the above named plaintiffs in error, dated Sept. 18, 1856, upon a

judgment of said Supreme Court of said Territory, rendered on the ninth day of August, 1856, in favor of said defendants in error in a certain action wherein said plaintiff in error was plaintiff and said defendants in error were defendants, which said writ of error was made returnable on the first monday of December A.D. 1856-

In testimony whereof, I have hereunto set my hands and affixed the seal of said Supreme Court, at Saint Paul, this 23d day of December A.D. 1856

Geo. W. Prescott Clerk"

and having stated that the plaintiff in error had altogether failed to file the record of said cause in this court or in any h proceeds this writ of error now here. moved the court in pursuance of the 63rd rule of this court to have this writ of error docketed and dismissed- On consideration whereof, it

is now here adered and adjudged by this court that this writ of erra to the Supreme Court of the Territory of Minnesota be and the same is hereby docketed and dismissed with costs, and that this cause be and the same is hereby remanded to the said Supreme Court for further proceedings to be had therein in conformity to law and pratice the said writ of erra notwithstanding

per Ch: Jus Taney

The State of Missouri - Compt. vs The State of Iowa and The State of Iowa Comptt vs The State of Missouri	Originab Bill Cross Bill

Final Decree

Ordered, that the foregoing report be, and that the same is hereby confirmed, and that Henry E. Hendershot, Esquire, Commissioner on part of the State of Iowa, Jay Hamet Esq. Minor Esquire, Commissioner

-r on part of the State of Missouri the Sum of 12 25/100 dollars, and that said Hendershot retain $12.25, as additional compensation for their services respectively in the causes aforesaid. And it is further ordered, that this cause, be finid in the causes aforesaid, and that they are hereby concluded and ended.-

per Mr Justice Catron

Daniel Todd et al Libels.
31 vs
Samuel F. Rath et al, claimts of the Steamboat Indiana &c
and
Samuel F. Rath et al claimts of the Steamboat Indiana - vs
53 Chas M Reed - Libel

The argument of these causes was commenced by Mr Granson of Counsel for the Libellants

Friday January 30th 1857 continued

Paul Mayo. Admr. of the Brig Element- Appt. vs Matthew Hunt et al	This cause was argued by Mr Loring of counsel for the appellant and by Mr C. P. Curtis jr of counsel for the appellee

57

James Stinson- Libellant vs Hercules L. Doneman	The motion to dismiss this cause for the want of jurisdiction was argued by Mr Horn in support thereof and by Mr Cooper in opposition to the same.-

215

Proclamation being made the Court is adjourned until Monday morning at eleven o'clock

Pursuant to adjournment the court met this morning at the Capitol.

Present.—

The Honorable	Roger B. Taney,	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	Associate
	Samuel Nelson	Justices
	Robert C. Grier	
	Benj. R. Curtis	
	John A. Campbell	

Isaac S. Keese Esquire Marshal
William Thomas Carroll Clerk

Proclamation being made the court sitting

On motion first made to the court in this behalf by Mr Stanbery it is ordered that Cyrus K. Lee, Esquire of Wisconsin; Ed. La due Lamed Mr. Cavanaugh and John B Costello Esquires of Minnesota Territory, be admitted to practice as Attorneys and Counsellors of this court and they were severally sworn accordingly

39 Obediah H. Hall & Jeff in er Chauncey Jerome

On consideration of the motion made in this cause by Mr Foster on a previous day of the present term of this court, & viz. on Friday the 9th ultimo, to rescind and annul the judgment entered in this cause on the 24th of December last and to reinstate the cause on the docket for trial, and of the arguments of counsel thereupon had, as well against as in support of the said application - it is now here ordered by the court that the said motion be and the same is hereby overruled.

40 Frederick Schuchardt and Frederick C. Gebhard Libts & Appts vs Matthias Babbidge et al claimants of half of the proceeds of the ship Angelique.

Appeal from the Circuit Court of the United States for the Southern District of New-York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York and was argued by counsel - On consideration whereof, it is now here ordered adjudged and decreed by this court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

per Mr Justice Nelson

Augustus Hemmenway, claimant of the ship "Independence"

vs

William P. Fisher, master of the steamship "City of Boston," for himself and the owners of the said steamship and for the other officers and crew of said steamship.

Appeal from the Circuit Court of the United States for the District of Massachusetts

45

This cause came on to be heard

in the transcript of the record from the Circuit Court of the United States for the District of Massachusetts and was argued by counsel— On consideration whereof, it is now here ordered, adjudged and decreed by this court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs.—

By a divided court

Moses C. Mordecai, Isaac C. Hertz, Joseph I Enslow, and Isaac N. Mordecai, a firm doing business under the name and style of Mordecai & Co

35 vs Libelts & Applts

Wm H Lindsay, owners of the Schooner "Mary Eddy" her tackle, apparel &c

Appeal from the Circuit Court of the United States for the District of South Carolina.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States

for the District of South Carolina and was argued by Counsel - On consideration whereof, it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby for the want of jurisdiction in that Court, and that this cause be and the same is hereby remanded to the said Circuit Court with directions to that court to send the case back to the District Court in the same condition that it was before the appeal to the Circuit Court in order that the said District Court may proceed with the case to a final decree upon such a report as the Commissioner and Clerk may make pursuant to the order made by the said District Court in the cause -

for Mr Jus. Wayne

Monday February 2d 1835 Continued

	Daniel Todd et al. Libelts.	The argument of these cases was continued by Mr Hanson for the Libellants by Mr Rogers of counsel for the claimants and concluded by Mr Hanson for the Libellants
31	vs	
	Samuel F. Hall &c claimant of the Steamboat Sultana &c	
	and	
	Samuel F. Hall &c claimt. of the Steamboat Sultana &c	
53	vs	
	Charles McReed, Libt.	

Proclamation being made the Court is adjourned until to-morrow morning at eleven o'clock

Pursuant to adjournment the court met this morning at the Capitol

Present.-

The Honorable	Roger B. Taney,	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	Associate
	Samuel Nelson	Justices
	Robert C Grier	
	Benj.n R. Curtis &	
	John A Campbell	

Noah L Hoover Esquire Marshal
William Thomas Carroll Clerk

Proclamation being made the court is opened.

On motion first made to the court in this behalf by Mr Cooper - it is ordered that Wm R Dickerson Esquire of Pennsylvania be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly

On motion first made to the court in this behalf by Mr Reverdy Johnson it is ordered that George E. Fairbanks Esquire of Florida be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly

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On motion first made to the court in this behalf by Mr Cutting - it is ordered that Morris S. Miller Esquire of New York be admitted to practice as an Attorney and counsellor of this court and he was sworn accordingly

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William Holcombe vs Jeff in Error Wm McKusick et al	Mr Laurence of counsel for the plaintiff in error in this cause now here moved the court to rescind and annul the judgment entered in this cause on a prior day of the present term hereof on Friday the 30th ultimo docketing and dismissing this writ of error, and to file and docket this cause pursuant to the rules of this court. Where-

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upon this court not being now sufficiently advised of and concerning what order to make in the premises but time to consider

The Ocean Fire Boat Company owners of Steam Fire Boat Star &c 22 vs Apl'ts The Ship Ocean Queen, and the Steamship Crescent City	On the suggestion of Mr Cutting of counsel for the Crescent City and with the assent of Mr Cushing of counsel for the Ocean Queen and of Mr Benjamin of counsel for the Ocean Fire Boat company it is now here ordered by the court that this cause be and the same is hereby continued to the next term of this court

Charles Hillard, claimants of the Ship Ocean
54 Queen – Apl'ts vs
The United States mail Steamship Company claimants of the Steamship Crescent City –

On the suggestion of Mr Cutting

of counsel for the appellees and with the assent of Mr Cushing of counsel for the appellants. it is now here ordered by the court that this cause be and the same is hereby continued to the next term of this court.

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55 George Lawrence, representing the United States mail Steamship Company claimants of Steamship Crescent City Appts
vs
Charles Hill et al owners of the ship Ocean Queen

On the suggestion of Mr Cutting of counsel for the appellants and with the assent of Mr Cushing of counsel for the appellees it is now here ordered by the court that this cause be and the same is hereby continued to the next term of this court.

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56 James Fletcher's heirs Appts
vs
Celine Babin widow of Wm Foley et al

This cause was argued by Mr Taylor of counsel for the appellee and submitted.

in a printed argument by Mr Emiley of counsel for the appellants

The United States - Appts 57 vs Domingo Ximenes Fraelta	On the motion of Mr Attorney General Gushing of counsel for the appellants - it is now ordered by the court that this cause be and the same is hereby postponed for the present.

John S Hoff. Exr and Maria L Ronalds Extx of Thomas A Ronalds. decd 58 vs Appts John H. Lewis	The argument of this cause was commenced by Mr Thomas of counsel for the appellants.

Proclamation being made the court is adjourned until tomorrow morning at eleven o' clock

Wednesday February 4th 1857

Pursuant to adjournment the court met this morning at the Capitol

Present.—

The Honorable	Roger B. Taney	Chief Justice
	John McLean	
	John Catron	Associate
	Samuel Nelson	Justices
	Robert C Grier	
	Benj: R Curtis	
	John Campbell	

Josiah S Hoover Esquire Marshal
William Thomas Carroll Clerk

Proclamation being made the court is opened

On motion first made to the court in this behalf by Mr Gillet— it is ordered that Alexander C. Morton and J. C. Spencer Esquire of New York be admitted to practice as Attorneys and Counsellors of this court and they were severally sworn accordingly

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On motion first made to the court in this behalf by Mr Robinson it is ordered that

William Ware Peck, Esquire, of Vermont be admitted to practice as an Attorney and counsellor of this court and he was sworn accordingly.-

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James Hinton - Plff in Er vs Hercules L. Stoneman	

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On consideration of the motion made in this cause on the first day of the present term, to wit, on Friday the 30th ultimo, by Morton to dismiss this writ of error for the want of jurisdiction and of the argument of counsel thereupon had as well against, as in support thereof, it is now here ordered by the court that the said motion be and the same is hereby continued.

William Holcombe vs Plff in Er John McKissick &c	

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Mr Lawrence of Counsel for the Plaintiff in error having filed and read in open court yesterday the following Instrument and motion to wit:-

"The plaintiff in error in the

above entitled cause, by his counsel A H. Lawrence Esqr moved this Honorable court to reinstate the case, it having been within the last week docketed and dismissed. -

And it is respectfully represented to the court that no intentional delay was induced by the plaintiffs in error, but that the record was in due time sent to the Clerk of this court, but without a proper bond to the Clerk. That the said plaintiff in error did not in fact know that such bond was essential to the docketing of said cause, and immediately upon being informed thereof had executed and sent to said Clerk a full and satisfactory bond, which reached him a day or two after said cause had been docketed and dismissed. And it is further represented that said bond would have been long before said cause was docketed and dismissed filed in this court and the case docketed in due course, but for the irregularity of the mails during the last month" and the same having been

duly considered by the court. it is now here ordered by the court that said judgment be and the same is hereby reversed and annulled upon the payment of the costs by the plaintiff in error and upon his having the record filed and the cause docketed in conformity to the rules of this court.

per Mr Ch: Jus Taney

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58 John A. Wolf, Exr and Maria L. Ronalds Extrx of Thomas L. Ronalds, dec'd. v. Appt's John H. Lewis	The argument of this cause was continued by Mr Jos Reverdy Johnson & Reverdy Johnson for of Counsel for the appellee and concluded by Mr Thomas for the appellants

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Proclamation being made the court is adjourned until to morrow morning at eleven o'clock.

Thursday February 5th 1857

Pursuant to adjournment the court met this morning at the Capitol

Present.—

The Honorable	Roger B. Taney.	Chief Justice
	John McLean	
	James M. Wayne	Associate
	Samuel Nelson	Justices
	Robert C. Grier	
	Benjn. R. Curtis	
	John A. Campbell	
Jonah D. Hoover Esquire		Marshal
William Thomas Carroll		Clerk

Proclamation being made the court is opened

The United States - pltffs	On the motion
vs	of Mr Stanbery
The City Bank of Columbus	of counsel for
	the defendant

suggesting that he is too unwell to proceed with the argument of this cause, and with the assent of the Attorney General thereto, it is now here ordered by the court that this cause be and the same is hereby postponed for the present.—

61	Robert Taylor - Plff in er vs Nathan C. Carryl, mainc	The argument of this cause was commenced by Mr Hood of counsel for the plaintiff in error and continued by Mr Evarts of counsel for the defendant in error.

Proclamation being made the court is adjourned until to morrow morning at eleven o'clock.

Friday February 6th 1857

Pursuant to adjournment the court met this morning at the Capitol

Present—

The Honorable	Roger B. Taney	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	Associate
	Samuel Nelson	Justices
	Robert C. Grier	
	Benj. R. Curtis &	
	John A. Campbell	

Isaac C. Hoover Esquire Marshal
William Thomas Carroll Clerk

Proclamation being made the court is opened

On motion first made to the court in this behalf by Mr Attorney General Cushing - it is ordered that R. Ross, Esquire of Washington City be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly

Daniel A. C. Baker plaintiff in error M. Williams - plaff in er	In error to the Supreme Court of the Territory of Minnesota
252 " vs	
The President, Directors & Company of the Bank of Hallowell	

Mr Washburne of counsel for the defendants in error having filed and read in open court the following certificate, to wit:-

"Territory of Minnesota, ss.
I George W. Prescott, Clerk of the Supreme Court in and for said Territory of Minnesota, do hereby certify that a writ of error has been duly issued out and allowed in the above cause, on behalf of the above named plaintiff in error, from said Supreme Court of the United States to said Supreme Court of the Territory of Minnesota, upon a judgment of said last named Supreme Court rendered on the eight day of February A.D. 1856, in favor of the said defendants in error the

President Directors and Company of the Bank of Hallowell, in a certain cause wherein said President, Directors & Company of the Bank of Hallowell were plaintiffs and said Daniel A. & Levi H. Williams were defendants: which said writ of error was dated February 9th A.D. 1856, and made returnable of the first monday of December A.D. 1856.

In testimony whereof, I have hereunto set my hand and affixed the seal of said Supreme Court of the Territory of Minnesota, at St. Paul this 1st day of January A.D 1857.

Geo. W. Prescott
Clerk as aforesaid

and having stated that the plaintiff in error had altogether failed to file the records of said cause in this court, or in any way to prosecute said writ of error now here moved the court in pursuance of the 69th rule of this court to have this writ of error docketed and dismissed. On consideration whereof it is now here

ordered and adjudged by this court that this writ of error to the Supreme Court of the Territory of Minnesota be and the same is hereby docketed and dismissed with costs, and that this cause be and the same is hereby remanded to the said Supreme Court for further proceedings to be had therein in conformity to law and justice the said writ of error notwithstanding.—

Jo. M. Ch: Jus Taney

58 of 1855 | The United States vs Joseph R. Brown for the Minnesota and Northwestern Railroad Company

Mr Remedy Attorney of counsel for the Railroad Company having on the 24th instant filed a motion to rescind and annul the judgment entered by this court in this cause at the last term of this court to wit, on the 29th of January A. D. 1856, and to reinstate this cause nunc pro tunc as of the time when said judgment was entered, and that the defendants have leave to docket the case

and it file a copy of the records under and in accordance with the 63rd rule of this court - now here moved the Court for leave to argue the said application, and which was opposed by Mr Attorney General Bushing of counsel for the United States - whereupon this court not being now here sufficiently advised of and concerning what order is under in the premises took time to consider -

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Olivier Garrison and Appts vs The Memphis Ins Co Company	The argument of this cause was commenced by Mr Ewing of counsel for the appellants, continued by Mr Geyer of counsel for the appellees and concluded by Mr Ewing for the appellants

Edmund Rice Jeffries vs The Minnesota and Northwestern Rail Road Company	Messrs Johnson & Barbour of Counsel for the defendants in error now here moved the Court for leave to have

this cause tried at the present term and to which motion of counsel for the plaintiff in error assented. Whereupon this court not being now sufficiently advised of and concerning what order it ought in the premises to make time to consider.

Robert Taylor plff in er vs Nathan F Cary, Admr &c	The argument of this cause was concluded by Mr Cadwalader of counsel for the plaintiff in error

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Proclamation being made the court is adjourned until Monday morning at eleven o'clock

Monday February 9th 1857

Pursuant to adjournment the court met this morning at the capitol

Present.

The Honorable	Roger B. Taney	Chief Justice
	John McLean	
	John Catron	
	Peter V. Daniel	Associate
	Samuel Nelson	Justices
	Robert C. Grier	
	Benj: R. Curtis	
	John A. Campbell	

Enoch L. Hoover Esquire Marshal
William Thomas Carroll Clerk

Proclamation being made the court is opened

On motion first made to the court in this behalf by Mr Stanbery - it is ordered that J Wagner Gilmor Esquire of Pennsylvania be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly

The United States-Appellant vs The Minnesota and Northwestern Rail Road Company	On consideration of the motion made on a previous day of the present term, & with, on Friday the 6th instant by Messrs Johnson & Barbour to recall and amend the judgment entered in this case on Tuesday the 29th day of January 1856, and for an order directing this cause to be reinstated nunc pro tunc as of the time when the said judgment was entered - it is now here ordered by this court that the said motion be and the same is hereby overruled.-

58 of 1855

Edmund Rice-Appellant vs The Minnesota & Northwestern Rail Road Company	On consideration of the motion made last Friday the 6th instant by Messrs Johnson & Barbour to hear this cause at this term. It is now here ordered by the court that the said motion be and the same is hereby overruled.-

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59 The United States-plffs
vs
The City Govt of Columbia

The argument of this cause was commenced by Mr Attorney General Cushing of counsel for the plaintiffs, continued by Mr Hanbery of counsel for the defendant and concluded by Mr Attorney General Cushing for the plaintiffs -

Proclamation being made the court is adjourned until to-morrow morning at eleven o' clock

Pursuant to adjournment the Court met this morning at the Capitol.-

Present.-

The Honorable	Roger B. Taney,	Chief Justice
	John McLean	
	John Catron	Associate
	Samuel Nelson	Justices
	Robert C. Grier	
	Benj. R. Curtis	
	John A. Campbell	

Enoch L. Hoover Esquire Marshal
William Thomas Esquire Clerk

Proclamation being made the Court is opened

	Horatio N. Slater	in error to the
41	vs.	Circuit Court of the
	Charles Emerson	United States for
		the District of Mas-

-achusetts.-

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts and was argued by counsel.- On consideration

thereof, it is now here ordered and adjudged by this court that the judgment of the said Circuit Court in this cause be and the same is hereby reversed with costs, and that this cause be and the same is hereby remanded to the said Circuit Court with direction to award a venire facias de novo.

Mr Justice McLean

Ferdinand N. Clark Appt.

254 vs

Benjamin C. Clark, John Clark, William H. Y. Hackett, John L. Hayes, Charles H. Dougherty, Michael Dougherty, and S. Hopkins Stewart.

Appeal from the circuit court of the United States for the District of New Hampshire

Mr Reverdy Johnson of counsel for the appellee having filed and read in open court the following certificate to wit

"The United States of America.
District of New Hampshire ss.
Circuit Court of the United States
October Term 1856.— In Equity.— Ferdinand
and N. Clark — Complainant —

vs

Benjamin C. Clark, John Clark, William H.
Y. Hackett, John L. Hayes, Charles H. Dougherty,
Michael Dougherty and Stephen Stewart
Defendants.—

I Albert R Hatch, Clerk of the said
Court, do hereby certify, that at the October
Term of said Court A. D. 1856, a decree
was entered dismissing the complainants
bill in this case for want of jurisdiction.
From which decree afterwards on the
seventh day of November A. D. 1856, the
said Ferdinand N. Clark claims an appeal
at the Supreme Court of the United States
next to be holden at Washington in the
District of Columbia.

Witness the Seal of said
Court this fourth day of
February A D 1857

Albert R Hatch Clerk."

and having stated that the appellant had altogether failed to file the record of said cause in this court & in any way to prosecute said appeal - now here moved the court in pursuance of the 63d rule of this court to have this appeal docketed and dismissed - On consideration whereof, it is now here ordered, adjudged and decreed by this court that this appeal from the Circuit Court of the United States for the District of New Hampshire be and the same is hereby docketed and dismissed with costs, and that this cause be and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity to law and justice the said appeal notwithstanding.-

per Mr Ch: Jus. Taney

In the matter of Ferdinand Clark a Bankrupt - Appt.

Appeal from the Circuit Court of the United States for the District of New Hampshire

Mr Remedy Johnson of counsel for

the assignee in Bankruptcy having filed and read in open court the following certificate, to wit:—

"The United States of America
District of New Hampshire, ss.—
Circuit Court of the United States.
October Term A.D. 1856.—
In Bankruptcy
In the matter of Ferdinand Clark,
a Bankrupt.—

I, Albert R Valch, Clerk of said court, do certify that at the October Term of said court the answers of said court to the questions, as propounded by said court in this case, from the District Court of the United States for said District, were duly filed and certified by said District Court. And afterwards, on the thirteenth day of November A.D. 1856 the said Bankrupt claims an appeal from the said determination of this court at the Supreme Court of the United States next to be holden at Washington in the District of Columbia

Witness the Seal of said Court
this fourth day of February A.D. 1857
Albert R. Hatch, Clerk"
and having stated that the appellant
had altogether failed to file the record
of said cause in this court or in any
way to prosecute said appeal - Now here
moved the court in pursuance of the
63rd rule of this court to have this
appeal docketed and dismissed - On
consideration whereof, it is now here ordered
adjudged and decreed by this court
that this appeal from the Circuit Court
of the United States for the District of
New Hampshire be and the same is
hereby docketed and dismissed with costs,
and that this cause be and the same
is hereby remanded to the said Circuit
Court for further proceedings to be had
therein in conformity to law and justice
the said appeal notwithstanding -
per Mr Ch: Jus Taney

The United States - Appts vs Limingo Vincente & Cuestas	The argument of this cause was commenced by Mr Gillet of counsel for the appellants and continued by Mr Bibb of counsel for the appellees

Proclamation being made the court is adjourned until to-morrow morning at eleven o'clock

Wednesday February 11th 1857

Pursuant to adjournment the court met this morning at the Capitol

Present.-

The Honorable	Roger B. Taney	Chief Justice
	John McLean	
	John Catron	
	Samuel Nelson	
	Robert C. Grier	
	Benj R. Curtis	
	John A. Campbell	

Micah A Koover Esquire Marshal
William Thomas Carroll Clerk

Proclamation being made the court is opened

On motion first made to the court in this behalf by Mr Reverdy Johnson it is ordered that P. G. Webster, Esquire, of New York be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly

57

The United States - Appts
vs
Domingo Faconte Peralta

The argument of this cause was continued by Messrs Bibb & Rose of counsel for the appellees and concluded by Mr Billet for the appellants

Proclamation being made the Court is adjourned until to morrow morning at eleven o'clock

Thursday February 12th 1857

Pursuant to adjournment the court met this morning at the Capitol

Present.—

The Honorable	Roger B. Taney,	Chief Justice
	John McLean	
	John Catron	
	Samuel Nelson	Associate
	Robert C. Grier	Justices
	Benj. R. Curtis	
	John A. Campbell	

Enoch A Hoover Esquire Marshal
William Thomas Carroll Clerk

Proclamation being made the court is opened

71	Patrick Burke-plff in err vs William H. Gaines wife &c	This cause was argued by Mr Lawrence of counsel for the plaintiff in error

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William F. Bryan vs 73 vs pff in er Robert Forsyth	The argument of this cause was commenced by Mr Ballance of counsel for the pffs in error.

Proclamation being made the court is adjourned until to-morrow morning at eleven o'clock.

Friday February 13th 1857

Pursuant to adjournment the court met this morning at the Capitol

Present.—

The Honorable	Roger B. Taney.	Chief Justice
	John McLean	
	John Catron	Associate
	Samuel Nelson	Justices
	Robert C. Grier	
	Benj. R. Curtis	
	John Campbell	

Enoch L. Hoover Esqr. Marshal
William Thomas Carroll Clerk

Proclamation being made the court is opened.

Henry Worthington and John Henry Warren vs. plffs in er. The Exrs of Araminta Brooke	in error to the Circuit Court of the United States for the District of Maryland

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This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Maryland, and on

motion of Mr Reverdy Johnson of counsel for the defendant in error, stating that the matters in controversy in this cause had been agreed and settled between the parties, and that Mr Sohley the counsel for the plaintiffs in error assented thereto. On consideration whereof, it is now here ordered and adjudged by this court that this cause be and the same is hereby dismissed with costs.

Per Mr Ch: Jus Taney

Ferdinand A. Clark-Appt. vs Benjamin C. Clark et al	On the motion of Mr Reverdy Johnson of counsel for the appellees

254

it is now here ordered by the court that the Clerk have leave to issue a mandate in this cause during the present session of the court.

In the matter of Ferdinand Clark a Bankrupt-Appt.	On the motion of Mr R Johnson of counsel for

the assignee in Bankruptcy it is now here

ordered by the court that the Clerk have leave to issue a mandate in this case during the present term of this court

William Byers - Appt. vs Francis Surget ...	Mr Laurence of counsel for the appellee having suggested the death of Francis Surget since the last continuance of this cause leaving Francis, Catherine, Lenox, Jane, Eustace and Sarah Surget his heirs at law and devisees and F. Surget, Lenox and Eustace Surget the executors of his last will and testament, now here moved the court for leave to make the said representatives the parties defendant in this case - On consideration whereof, it is now here ordered by the court that the appearance of Francis, Catherine, Lenox, Jane, Eustace and Sarah Surget the heirs at law and devisees of Francis Surget, deceased, and the appearance of Francis Surget, Lenox and Eustace Surget the executors of the last will and testament of the said

10.2

Francis Smyth, deceased, be entered as the parties defendant in this cause and that they be and hereby are made the parties appellee in this cause.—

73 William F. Bryan use &c Pltff in Err vs Robert Forsyth Defendant	This cause was argued by Messrs Ballance and Reverdy Johnson for the plaintiff in error and submitted on a printed argument by Mr Williams of counsel for the defendant in error

74 Charles Ballance Pltff in Err vs Adolph Papini et al	The argument of this cause was commenced by Mr Ballance the plaintiff in error

Proclamation being made the Court is adjourned until Monday morning at eleven o'clock.

Monday February 16th 1857

Pursuant to adjournment the Court met this morning at the Capitol.

Present.—

The Honorable	Roger B. Taney,	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Robert C. Grier	
	Benj: R. Curtis	
	John A. Campbell	

Isaah D Hoover Esquire Marshal
William Thomas Carroll Clerk

Proclamation being made the Court is opened

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74 Charles Ballance — pltf in er.
vs
Adolph Papin et al

This cause was argued by Mr Ballance and submitted on printed argument by Messrs Gamble and Williams of counsel for the defendants in error

75	George Buckley - pff in er vs Christian Arnold -	The argument of this cause was commenced by Mr Taylor of counsel for the plaintiff in error, continued by Mr Benjamin of counsel for the defendant in error and concluded by Mr Taylor for the pff in error.

76	Lathrop L. Sturgis - vs pff in er Christian Arnold	The argument of this cause was commenced by Mr Taylor of counsel for the pff in error continued by Mr Benjamin of counsel for the defendant in error and concluded by Mr Taylor for the plaintiff in error.

77	Josiah Walton admr of Priscilla Cotton, dec'd al vs pffs in er Allen Cotton et al	The argument of this cause was commenced by Mr Baxter of counsel for the plaintiffs in error and continued by Mr Lawrence of counsel for the defend=

Monday February 16th 1857 continued

-ants in error

Proclamation being made the court is adjourned until to-morrow morning at eleven o' clock

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Pursuant to adjournment the court met this morning at the Capitol

Present—

The Honorable	Roger B. Taney	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Robert C. Grier	
	Benj: R. Curtis	
	John Campbell	

Jonah D Hoover Esquire Marshal
William Thomas Carroll Clerk

Proclamation being made the court is opened

On motion first made to the court in this behalf by Mr Phillips it is ordered that J. D. B. DeBow Esquire of Louisiana be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly

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Maria A. Fletcher Appl. heirs of James Fletcher vs Compt. & Appts. Celine Babin widow of Ursin Jolly, dec'd	Appeal from the Circuit Court of the United States for the Eastern District of Louisiana

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Louisiana and was argued by Counsel - On Consideration whereof, it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

per Mr Justice Campbell

The Commercial Mutual Marine Ins. Company vs The Union Mutual Ins. Co. Company of New York Appts.	Appeal from the Circuit Court of the United States for the District of Massachusetts

This cause came on to be heard on the transcript of the record from the circuit court of the United States for the District of Massachusetts and was argued by counsel. On consideration whereof, it is now hereordered, adjudged and decreed by this court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs, and interest on the sum paid, at the same rate per annum that similar decrees bear in the courts of the State of Massachusetts

per Mr Justice Curtis

77

Josiah Walton, admr of Priscilla Cotton, dec'd, et al
vs
Asher Cotton et al

The argument of this cause was continued by Mr Lawrence of counsel for the defendants in error and concluded by Mr Baxter of counsel for the plaintiffs in error.

The United States - Appts. 78 vs Thomas W. Sutherland - guardian of the children of Miguel de Pedroveno dec'd.	The argument of this cause was commenced by Mr Attorney General Cushing of counsel for the appellants, continued by Mr Rose of counsel for the appellees and concluded by Mr Attorney General Cushing for the appellants.-

Proclamation being made the court is adjourned until to morrow morning at eleven o' clock.

Pursuant to adjournment the court met this morning at the Capitol

Present.—

The Honorable	Roger B. Taney,	Chief Justice
	John M'Lean	
	James M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Robert C. Grier	
	Benj: R. Curtis	
	John A. Campbell	

Jonah D. Hoover Esquire Marshal
William Thomas Carroll Clerk

Proclamation being made the court is opened.

On motion first made to the court in this behalf by W.M. Carey Jones it is ordered that John M'Cracken, Esquire, of California be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly

Thomas Richardson		In error to the
38	v	Circuit Court
The City of Boston		of the United States for the

District of Rhode Island

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Rhode Island and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this court that the judgment of the said Circuit Court in this cause be and the same is hereby reversed with costs, and that this cause be and the same is hereby remanded to the said Circuit Court with direction to award a venire facias de novo.

per Mr Justice Grier

Archibald Babcock		Appeal from the
45	v	Appt.
Edward Wyman		Circuit Court of the United States for the District of Massachusetts

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts and was argued by counsel - On consideration whereof, it is now here ordered, adjudged and decreed by this court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs, and interest must be paid at the same rate per annum that similar decrees bear in the courts of the State of Massachusetts.

Per Mr. Justice McLean

Dissenting - Mr Justice Catron & Mr Justice Campbell

Mr Chief Justice Taney did not sit in this case being absent from indisposition - Nor did Mr Justice Daniel sit in the case.

John S. Wolfe, Exor and Maria L. C. Lenoir Executrix of Thomas N. Lenoir, decd — Appts 58 vs John G. Lewis —	Appeal from the District Court of the United States for the Northern District of Alabama.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of Alabama and was argued by counsel — On consideration whereof, it is now here ordered, adjudged and decreed by this court that the decree of the said District Court in this cause be and the same is hereby reversed with costs, and that this cause be and the same is hereby remanded to the said District Court with directions to require the defendant Lewis to pay over any money received by him under the decree, to the proper officer of the court, that it may be paid to the Complainants.—

Per Mr Justice McLean

The Rector &c of Christ Church, Philadelphia, in trust for Christ Church Hospital &c.— vs Appellees in the County of Philadelphia—	This cause having been called for argument and no counsel appearing ready to proceed with the same, it is thereupon now here ordered by the Court that this cause be and the same is hereby postponed to the foot of the docket, pursuant to the 36th rule of Court
99	
Thomas Jackson use, owner of Steamboat Metamphta vs Appt. The Steamboat Magnolia &c. Wm C. James Master &c	This cause was argued by Mr Phillips of counsel for the appellee
100	
Thomas Jackson use owners of Steamboat Metamphta vs Appts. The Steamboat Magnolia &c Wm C. James Master &c	It having been suggested to the Court that Mr Smith the counsel for the appellants was confined
101	

to his house by sickness and unable

d be in court at this time, provided that he place a copy thereof in the hands of Mr Phillips the counsel for the appellee and to whom the privilege of replying thereto is hereby granted.—

101	Frederick N Tribe's heirs vs Appt. William W. Woodfock	This cause was submitted to the consideration of the court on the record and printed arguments by Mr Pike of counsel for the appellants and by Mr Meigs of counsel for the appellee

102	William Myers - Appt. vs Francis Inrgels heirs	This cause was argued by Mr Lawrence of counsel for the appellees

103	Roswell Beebe et al vs William Rufsell	This cause was submitted to the consideration of the court on the record and printed arguments by Mr Lawrence of counsel for the appellants and by Mr Pike

of counsel for the appellee.—

James R. Jones etal- Plffs in Er vs Catherine McMasters by her next friend Thomas Ware	This cause having been called for argument and no counsel appearing ready to proceed with the same - it is thereupon now here ordered by the court that this cause be and the same is hereby postponed to the foot of the docket pursuant to the 36th rule of court.—

104

John Bacon etal- Plffs in Er vs Volney E. Howard	This cause having been called for argument and no counsel appearing ready to proceed with the same - it is thereupon now here ordered by the court that this cause be and the same is hereby postponed to the foot of the docket pursuant to the 36th rule of court.—

105

106	I Temple Lashwell — vs — Jeff'n a Empire de la Lanzoral	It is cause having been called for argument and no counsel appearing ready to proceed with the same - it is thereupon now here ordered by the court that this cause be and the same is hereby postponed to the foot of the docket pursuant to the 36th rule of court. —

107	David Cunham Withers — vs — Jeff'n ex Rawson Buckley dec	This cause having been called for argument and no counsel appearing ready to proceed with the same - it is thereupon now here ordered by the court that this cause be and the same is hereby postponed to the foot of the docket pursuant to the 36th rule of Court. —

Proclamation being made the court is adjourned until to morrow morning at eleven o'clock

Pursuant to adjournment the court met this morning at the Capitol

Present.—

The Honorable	Roger B. Taney.	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Robert C. Grier	
	Benj: R. Curtis	
	John A. Campbell	

Jonah D. Hoover Esquire Marshal
William Thomas Carroll Clerk

Proclamation being made the court is opened.

On motion first made to the court in this behalf by Mr Reverdy Johnson it is ordered that W. H. Talbott Esquire of Maryland be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly

Edward Field - plff in er 19 vs Pardon G. Seabury, Ward H. Parker & Henry B. Gifford	In error to the Circuit Court of the United States for the District of

California.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of California and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this court that the judgment of the said Circuit Court in this cause be and the same is hereby reversed with costs and that this cause be and the same is hereby remanded to the said Circuit Court with directions to award a venire facias de novo.

Mr Justice Wayne

20	Edward Field - Appellant v Gardon S. Seabury, Hard M. Parker & Henry G. Gifford	In error to the Circuit Court of the United States for the District of California

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of California and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this court that the judgment of the said Circuit Court in this cause be and and the same is hereby reversed with costs, and that this cause be and the same is hereby remanded to the said Circuit Court with directions to award a venire facias de novo

Per Mr Justice Wayne

Enos Mayo, claimant of the Mig Clement - Appt.	Appeals from the Circuit
51 vs	Court of the
Matthew Grant, Reuben G. Grant, Henry C. Grant and Wm. Sedgley - Libellants	United States for the District of Massachusetts

This cause came on to be heard on the transcript of the records from the Circuit Court of the United States for the District of Massachusetts and was argued by counsel - On consideration whereof, it is now here ordered, adjudged and decreed by this court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs and interest on bail paid at the same rate per annum that similar decrees bear in the courts of the State of Massachusetts

By a divided court

59	Adolphus Durant vs Libel Samuel Cannon et al	It is now hereby ordered by the court that this cause be and the same is hereby continued to the next term of this court and it is further now here ordered by the court that this cause be then re argued

61	Robert Taylor - Libellant vs Nathan C. Ramsey, Claimant	It is now here ordered by the court that this cause be and the same is hereby continued to the next term of this court and it is further now here ordered by the court that this cause be then re argued on the following points: 1. Whether or not the District Court sitting in admiralty, had jurisdiction to make the order of sale of "The Royal Saxon" without having first acquired any other custody and control of the vessel by a seizure under the process of attachment issued to the Marshal on the filing of the libel for the seamans wages, than appears

by the record in this case.—

2. And if the District Court could not legally make the order at the time it was passed, was the sale made by the Marshal, under the circumstances, and in the manner stated in the record, and confirmed by the court absolutely void, or only voidable and liable to have been set aside for error upon appeal to a superior court.—

John Mason use &c Appt. vs John F. Hewitt	On the motion of Mr Campbell of counsel for the appellants and with the assent of Mr Kennedy Wheaton of counsel for the appellee — it is now here ordered by the court that this cause be and the same is hereby continued to the next term of this court.—

109 Simon Hade - Appt vs Jacob Faber et al	This cause having been called for argument and no counsel appearing ready to

proceed with the same. It is therefore now here ordered by the court that this cause be and the same is hereby postponed to the foot of the docket pursuant to the 36th rule of court.

125	John S. Mary's admr vs The Branch of the Bank of the State of Alabama.	This cause was argued by Mr Lawrence of counsel for the appellee

(Mr Chf: Campbell did not sit in this case)

126	The Steamboat New York vs Appt. James Stuart et al	This cause having been called for argument and no counsel appearing ready to proceed with the same it is therefore now here ordered by the court that this cause be and the same is hereby postponed to the foot of the docket pursuant to the 36th rule of court.

127	The United States - Apltf vs Francis Larkin et al Defts	This cause having been called for argument and no counsel appearing ready to proceed with the same - it is thereupon now here ordered by the court that this cause be and the same is hereby postponed to the foot of the docket pursuant to the 36th rule of court.

128	Robert Hudgins et al Apltfs vs Wyndam Kemp, assignee in Bankruptcy of Wm L. Hudgins	This cause having been called for argument and no counsel appearing ready to proceed with the same - it is thereupon now here ordered by the court that this cause be and the same is hereby postponed to the foot of the docket pursuant to the 36th rule of court.

130	Elliott & Hodgins vs vs Appt Wyndam King assignee in Bankruptcy of Thos Hodgins	This cause having been called for argument and no counsel appearing ready to proceed with the same - it is thereupon now here ordered by the court that this cause be and the same is hereby postponed to the foot of the docket pursuant to the 36th rule of court.
131	The Comm'l Bank of New Albany vs Appt Alexander Compton et al	This cause having been called for argument and no counsel appearing ready to proceed with the same - it is thereupon now here ordered by the court that this cause be and the same is hereby postponed to the foot of the docket pursuant to the 36th rule of court.

140	The United States - Appt: vs Thomas C. Sutherland, guardian	This cause having been called for argument and no counsel appearing ready to proceed with the same it is therefore now here ordered by the court that this cause be and the same is hereby postponed to the foot of the docket pursuant to the 36th rule of court.

Proclamation being made the court is adjourned until to morrow morning at eleven o'clock

Pursuant to adjournment the court met this morning at the Capitol.

Present

The Honorable	Roger B. Taney,	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	Associate
	John Daniel	Justices
	Samuel Nelson	
	Robert C. Grier	
	Benj. R. Curtis	
	John A. Campbell	

Jonah D. Hoover Esquire Marshal
William Thomas Carroll Clerk

Proclamation being made the court is opened.

On motion just made to the court in this behalf by Mr Gillet - it is ordered that Lewis B. Reed Jr Esquire of New York be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly

Friday February 20th 1857 continued

The Michigan Central Rail Road Company—	The argument of the motion to
189 To	dismiss this cause
Jeffries &	was commenced by
The Michigan Southern Rail Road Company	Mr Walker in support of the motion, con-

-tinued by Mr Fox in opposition thereto and concluded by Mr Walker.—

The Justice Curtis did not sit in this cause

Proclamation being made the court is adjourned until Monday morning at eleven o'clock

Pursuant to adjournment the court met this morning at the Capitol

Present.

The Honorable	Roger B. Taney,	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	Associate
	Samuel Nelson	Justices
	Robert C. Grier	
	Benj: R. Curtis	
	John A Campbell	

Josiah A Pearce Esquire Marshal
William Thomas Carroll Clerk

Proclamation being made the court is opened

The Chief Justice announced to the Bar (in pursuance of the 4th rule) that the court would not hear arguments in any case after Friday the 27th instant and that it would adjourn on Friday the 6th of March next.—

On motion first made to the court in this behalf by Mr Gillet - it is ordered

that Henry K Anderson Esquire of New York be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

On motion first made to the court in this behalf by Mr Reverdy Johnson it is ordered that Abraham Payne Esquire of Rhode Island and C.C. Cullingham Esquire of Ohio be admitted to practice as Attorneys and Counsellors of this court and they were severally sworn accordingly

71	Patrick Smith-Plff in Err vs William H. Christ & Maria his wife, Albert Belding, Henry Belding, and Geo Belding	in error to the Supreme Court of the State of Arkansas.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Arkansas and was argued by counsel — On consideration

whereof, it is now here ordered and adjudged by this court that this cause be and the same is hereby dismissed for the want of jurisdiction.—

Pr Mr Ch: Jus Taney

Albert Ballard vs. To Jeffs in Error Thomas G. Roots et al	The argument of this cause was commenced by Mr Ashley of counsel for the plaintiff in error, and continued by Messrs Talbot & Brady Thurston & Conrad for the defendants in error.

Proclamation being made the court is adjourned until to-morrow morning at eleven o'clock

Tuesday February 24th 1857

Pursuant to adjournment the court met this morning at the Capitol

Present.-

The Honorable	Roger B. Taney,	Chief Justice
	John Mc Lean	
	James M. Wayne	
	Thos Catron	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Robt C. Grier	
	Benj: R. Curtis	
	John A. Campbell	

Josiah D Hoover Esquire Marshal
William Thomas Carroll Clerk

Proclamation being made the court is opened

On motion first made to the court in this behalf by Mr James S. Green it is ordered that Anthony V. Hofer Esquire of Missouri be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly

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146	John McCullough & al vs Gurney & Roots et al	The argument of this cause was concluded by Mr Schley of counsel for the plaintiffs in error.

147	Abel Ballard et al vs Philip J. Thomas, Collector	The argument of this cause was commenced by Mr Schley of counsel for the plaintiffs in error, continued by Mr Attorney General Cushing of counsel for the defendant in error, and concluded by Mr Schley for the plaintiff in error.

Proclamation being made the Court is adjourned until to morrow morning at eleven o' clock.

Wednesday February 25th 1857.

Pursuant to adjournment the court met this morning at the capitol

Present.—

The Honorable	John McLean	
	James M. Wayne	
	Samuel Nelson	Associate
	Robert C. Grier	Justices
	Benj: R. Curtis	
	John A. Campbell	

Jonah D Hoover Esquire Marshal
William Thomas Carroll Clerk

Proclamation being made the court is opened

Isaac Brown — Appt.	On the motion of
vs	Mr Ashley of counsel
145 Joseph P. Shannon et al	for the appellant.

stating that Mr Latrobe the counsel for the appellees was not ready to proceed with the argument of this cause — it is therefupon now here ordered by the court that this cause be and the same is hereby continued to the next term of this court.—

149 The United States - Appts
vs
Henry Eamburton

This cause having been called for argument and no counsel appearing ready to proceed with the same - it is thereupon now here ordered by the court that this cause be and the same is hereby postponed to the foot of the docket pursuant to the 36 th rule of court.-

151 The United States - Appts
vs
Antonio Maria Lugo

This cause having been called for argument and no counsel appearing ready to proceed with the same it is thereupon now here ordered by the court that this cause be and the same is hereby postponed to the foot of the docket pursuant to the 36th rule of court.-

154	Rufus Allen et al vs Appts. Henry L. Newberry, Claimant of Steamboat Fashion &c.	This cause having been called for argument and no counsel appearing ready to proceed with the same - it is thereupon now here ordered by the court that this cause be and the same is hereby postponed to the foot of the docket under the 36th rule of court.

155	Frank Aymes - Pltff in Er. vs Jonah D. Hoover —	The argument of this cause was commenced by Mr Charles Lee Jones of counsel for the Plaintiff in error.

155	Frank Aymes - Pltff in Er. vs Jonah D. Hoover —	On the motion of Mr Attorney General Cushing of counsel for the defendant in error, and with the assent of Mr Badger of counsel for the Plaintiff in error - it is now here ordered

is the court that this cause be and the same is hereby continued to the next term and then to be argued.

Thomas Jackson et al owners of Steamboat Metumpka - Appts 100 vs The Steamboat Magnolia or William T. Barnes master &c.	This cause was submitted to the consideration of the court on the printed argument of Mr. T. L. Smith of counsel for the appellants

Proclamation being made the Court is adjourned until Friday next at eleven O'clock.

Friday February 27th 1857.

Pursuant to adjournment the court met this morning at the Capitol

Present.—

The Honorable	Roger B. Taney,	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Robert C. Grier	
	Benj: R. Curtiss	
	John A. Campbell	

Enoch A Hoover Esquire Marshal
William Thomas Carroll Clerk.

Proclamation being made the court is opened

On motion first made to the court in this behalf by Mr Attorney General Cushing it is ordered that P. della Torre Esquire of California be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly

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On motion first made to the court in this behalf by Mr C.M. Scranton it is ordered that Isaac Pusey & David Barclay Esquires of Pennsylvania be admitted to practice as attorneys and counsellors of this court and they were severally sworn accordingly

Oliver Garrison and Daniel E. Garrison vs Appts. The Hannibal Insurance Company. -	Appeal from the Circuit Court of the United States for the District of Missouri

70

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the district of Missouri and was argued by counsel - On consideration whereof, it is now here ordered, adjudged and decreed by this court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs and interest until paid at the same rate per annum that

similar decrees bear in the courts of the State of Missouri

per Mr Jno Campbell

George Buckley - Appellant vs Christian Gerold	In error to the circuit court of the United States for the Eastern District of Louisiana.-

75

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Louisiana and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the courts of the State of Louisiana.

per Mr Justice Curtis

Lathrop & Sturgis 76 vs Offutt et Christian Honoré	In error to the Circuit Court of the United States for the Eastern District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit court of the United States for the Eastern District of Louisiana and was argued by counsel - On consideration whereof, it is now here ordered and adjudged by this court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the courts of the State of Louisiana -

per Mr Justice Curtis

Daniel Todd, Daniel P. Rhodes, Robert C. Gates, and James Todd - Libel & Appeal

31 vs

Samuel F. Pratt & Edward C. Wiatt, Claimants of Steamboat Indiana, her engines &c &c

Appeal from the Circuit Court of the United States for the Northern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of New York and was argued by counsel. On consideration whereof, it is now here ordered adjudged and decreed by this court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar decrees bear in the courts of the State of New York

per Curiam: Nelson

Samuel F. Hall, James P. Hall, and Edward P. Boas, Claimants of the Steamboat Sultana - Appts.

53

vs

Charles M. Reed - Libt.

Appeal from the Circuit Court

of the United States for the Northern District of New York

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of New York and was argued by counsel. On consideration whereof, it is now here ordered, adjudged and decreed by this court that the decree of the said Circuit court in this cause be and the same is hereby reversed with costs, and that this cause be and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity to the opinion of this court and as to law and justice shall appertain

for the Hon. Nelson

The United States - Plffs vs The City Bank of Columbus	On a certificate of division in opinion between the Judges of the Circuit Court of the United States for the District of Ohio.

89

This cause came on to be heard on the transcript of the records from the Circuit Court of the United States for the District of Ohio and on the question or point on which the Judges of the said Circuit Court were opposed in opinion and which was certified to this court for its opinion agreeably to the act of Congress in such case made and provided, and was argued by counsel - And it appearing to this court, upon an inspection of the said transcript, that no point in the case within the meaning of the act of Congress has been certified to this court, it is thereupon now here ordered and adjudged by this court that this cause be and the same is hereby dismissed and that this cause be and the same is hereby remanded to the said Circuit court to be proceeded in according to law and in conformity to the opinion of this court -

per Mr Justice Daniel

Josiah Walton admr of Priscilla Cocton et al Complts vs Sheffield Allen Cotton, Enoch Cotton and William C. Jones.	In error to the Supreme Court of the State of Tennessee.

This cause came on to be heard on the transcript of the record from the Supreme Court of Tennessee and was argued by counsel- On consideration whereof, it is now ordered, adjudged and decreed by this court that the decree of the said Supreme Court in this cause be and the same is hereby reversed with costs and that this cause be and the same is hereby remanded to the said Supreme Court in order that further proceedings may be had therein in conformity to the opinion of this court and as to law and justice shall appertain

per Mr Justice McLean

dissenting Mr Justice Curtis
Mr Justice Campbell
Mr Justice Daniel

108	John Bacon &c. Appts. vs John B. Scott	Appeal from the Circuit Court of the United States for the Southern District of Mississippi.

This cause came on to be heard on the transcript of the records from the Circuit Court of the United States for the Southern District of Mississippi and upon the written agreement of the counsel for the appellants filed in this cause, stating that the matters in controversy had been agreed and settled between the parties – it is now here, on the motion of Mr Reverdy Johnson of counsel for the appellee, ordered, adjudged and decreed by this court that this cause be and the same is hereby dismissed with costs.–

per Mr Ch Jus: Taney

James Eyrot Gates for himself and on behalf of the Islands Messrs. Wm. Dodge Astrie and Gilbert Ferguson -

261 vs Jeffs in er

U. S. & William H. Vredenburg, commercial partners trading under the firm of W. S. Vredenburg & Co and A. Conard

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In error to the Circuit Court of the United States for the Eastern District of Louisiana

Mr Taylor of counsel for the defendants in error having filed and read in open court the following certificate, viz:

I, John W. Gurley Clerk of the Circuit Court of the United States in and for the Fifth Circuit and Eastern District of Louisiana, do hereby certify that on the 10th day of June A.D. 1856 a judgment at law was rendered against the above named plaintiffs in the said court in the words and figures following, to wit -

New Orleans Friday 6th June 1856

Court met pursuant to adjournment

Present Hon S. Campbell Presiding Judge
Present Hon Thos H. McCaleb District Judge

James L. Gentes et als
vs 2585
H. F. Vredenburgh & als } April Term 1856

This cause having been submitted on a former day and the court having considered the same doth now order, that the plaintiffs petition be dismissed with costs.—

Judgment ordered 6th June 1856
— " — signed 10th June 1856

S. H. Campbell, Associate Justice
Sup. Court United States

and that on the 28th day of June 1856, a writ of error was applied for, and allowed the said plaintiffs, and that the same was by them duly taken and filed on the 15th of July 1856, returnable to the December Term 1856, of the Supreme Court of the United States — all of which appears by the records of this office.—

Witness my hand and the seal of the said Court at New Orleans this 10th day of Feby A. D. 1857

F. W. Conley Clerk"

and having stated that the plaintiffs in error had altogether failed to file the record of said cause in this court or in any way to prosecute said writ of error - now here moved the court in pursuance of the 6th rule of this court to have this writ of error docketed and dismissed - On consideration whereof, it is now here ordered, and adjudged by this Court that this writ of error to the Circuit court of the United States for the Eastern District of Louisiana be and the same is hereby docketed and dismissed with costs and that this cause be and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity to law and justice the said appeal notwithstanding -

per Ch: Jus Taney.

Lloyd N. Rogers, admr of Eliza Park Custis, Edmund Law Rogers in his own right and as admr of Eliza Law Rogers and Eleanor N Rogers— Apptes.

262

vs

Joseph Edmund Law by Mary Robinson his next friend.

Appeal from the Circuit Court of the United States for the district of Columbia, holden in and for the County of Washington.—

Mr Laurence of counsel for the appellee having filed and read in open court the following certificate to wit:

"District of Columbia. Washington County to wit:—

I, John A. Smith, Clerk of the Circuit Court of the district of Columbia for the County of Washington do hereby certify, that in a certain cause pending in the said court, sitting as a court of Equity, wherein Joseph Edmund Law by his next friend Mary Robinson, is complainant, and James Adams, executor of Thomas Law

deceased, Lloyd N. Rogers, admr of Eliza Parke Custis, deceased, Edmund Law Rogers in proper person, and as administrator of Eliza Law Rogers, deceased, Eleanor N. Rogers, the executors of William Blane, deceased, Henry May, administrator of Thomas Law deceased, and Edmund Law deceased, and Alexander H. Lawrence, administrator of Thomas Tims, deceased, are defendants; a decree was made by the said Court, on the 21st January 1856 directing that James Adams the trustee "after satisfying the unpaid costs of this suit, the sum of $23.064.17 be paid by the trustee, James Adams to Lloyd N. Rogers, administrator of Eliza Parke Law, it being the balance of arrears due, on the annuity settled on the said Eliza Parke Law, by the testator Thomas Law in the deed dated the 9th day of August 1804, after crediting the said with the sum of $9.521.59 heretofore paid by him to said Lloyd N. Rogers on the 8th November 1848, making in all the sum of $32.585.76 to be received by said Lloyd N.

" Rogers, as such administrator in full
" of said arrears. And whereas it was the
" manifest intention of the Testator as expres-
" -ed in the codicil to his last will and testament,
" that his grand children Edmund Law
" Rogers, Eleana Rogers, and Eliza Rogers
" should not receive the legacies by him
" bequeathed to them if they should demand
" or receive from his estate any sum or sums
" of money coming to them as heirs of their
" grand Mother Eliza Park Law, under or
" by virtue of any of the deeds recited in said
" codicil. And whereas the said Edmund
" Law Rogers, Eleana Rogers and the admin-
" -istrator of Eliza Rogers, deceased, and the
" sole distributees of the said Eliza Park
" Law, and as such entitled to such
" residue of said sum of $32.585.76 hereaf-
" -ter finally decreed to the administrator
" of said Eliza Park Law as may remain
" for distribution by said administrator
" Therefore it is further adjudged ordered
" and decreed that the said Edmund
" Law Rogers, Eleana Rogers and the ad-
" -ministrator of Eliza Rogers, deceased,

" shall each for himself, or herself, elect
" between the distributive shares coming
" to them respectively as aforesaid out of
" the said sum of $22.585.76 and the
" legacies bequeathed to them respectively
" by said testator, and in case they or
" any of them elect to take or receive the
" legacies or legacy so bequeathed them
" and in that case the said legatee or
" legatees so electing shall be paid, his or
" her pro rata share, of the legacy coming
" to him or her, as shown in the auditors
" report and accounts, deducting from
" the shares coming to said Edmund Law
" Rogers, and Eleanor Rogers the sum of
" $8.410.03 heretofore paid them on the
" 8th November 1848, with legal interest
" thereon computed from that date, so soon
" as he or they shall file with the trustee
" and Executor James Adams a written
" assignment in due form of law, transferring
" to said Adams for the benefit of the
" estate of the Testator the amount of his
" or her distributive shares, aforesaid,
" not exceeding the amount paid or to be

" paid to the legatee so electing for or on
" account of his or her said legacy, and so
" soon as said Adams shall notify said as-
" signment to the administrator of Eliza
" Park Law, and in case the said Edmund
" Law Rogers, Eleanor Rogers, and the ad-
" ministrator of said Eliza Rogers or any
" of them, shall elect to claim and take
" the aforesaid legacies then, it is further
" adjudged, ordered and decreed, that
" the trustee James Adams shall forthwith
" pay to each of the legatees of the Testator
" who are not hereby required to elect, or
" his solicitor the pro rata share of the assets
" in hands, coming to all the legatees, admitting
" all to participate in the funds as shown
" in the Auditors account last filed,
" but in case the said legatees or any of
" them named in said Codicil shall elect
" to claim take and receive, his or her
" distributive share of said sum of $32.585.76,
" then and in that case, the amount of
" the legacy or legacies bequeathed to them
" or any of them shall enure to the benefit
" of the estate of said Testator." It is further

" adjudged, ordered and decreed, that
" such election shall be in writing signed
" by the parties hereby required to elect
" and filed in the proceedings of this
" cause within ten days from this date,
" unless the parties or any of them so
" required to elect, shall previously file in
" the proceedings of this cause a petition,
" praying to be allowed to postpone their
" election until the final settlement of the
" administration accounts of the adminis-
" -trata of Elijah Hart dec'd, in which case
" the said administrata is hereby enjoined
" and restrained from making any payments
" out of said sum of $32.585.76 to the dis-
" -tributees thereof, or any of them until
" such election shall be made, and in the
" event of such election being so postponed,
" it is further adjudged, ordered and decreed
" that the Trustee James Adams do imme-
" -diately upon the filing of such petition
" for postponing the election hereinbefore
" required pay to the other legatees of the
" Testata who are not hereby required to
" elect their and each of their pro-

" rata shares of the assets and funds now
" in hand as shown in the Auditors ac-
" count distributing the same among all
" the legatees of the Testator pro rata, and
" in the event of the said Edmund Law
" Rogers, Eleanor Rogers, and the administrator
" of Eliza Rogers or any of them dealing
" to claim their distributive shares of $32.585.76
" the said Lloyd N. Rogers, administrator
" of Eliza P. Law, shall upon the order
" of this court, and not otherwise, pay the
" amount of the distributive share or
" shares to said legatee or legatees, first
" deducting from the share of Edmund
" Law Rogers and Eleanor Rogers the sum
" of Eight thousand four hundred and
" ten dollars and three cents hereinbefore
" mentioned with interest thereupon from the
" 8th November 1848, and which last sum
" is to be so deducted therefrom, the said Lloyd
" N. Rogers shall in that case pay to the
" said trustee, James Adams for the benefit
" of the estate of the Testator. But in case the
" said legatees or any of them hereby required
" to elect as aforesaid, shall fail to petition for

" for a postponement, a elect as aforesaid
" within ten days, or if they shall fail to
" make such election within ten days, after
" the settlement of the final account of
" the administrator of said Eliza Parke Law
" then they shall be considered as electing
" not to take said legacies & them."

From which decree the said Lloyd N. Rogers, administrator of Eliza Parke Custis, deceased, Edmund Law Rogers in proper person, and as administrator of Eliza Law Rogers, deceased, and Eleanor N. Rogers feeling themselves agrieved by said thereof on the said 21 January 1856, prayed an appeal to the Supreme Court of the United States and to them it was granted, and an appeal bond approved by the court has been filed, and a transcript of the record of proceedings transmitted to said Supreme Court in accordance therewith: the said appeal is still pending and all proceedings suspended in said Circuit Court

In testimony whereof, I have hereunto subscribed my name and affixed the seal of said Court this 26th February 1857

(Seal)

John N. Smith Clerk"

and having stated that the appellants had altogether failed to file the records of said cause in this Court or in any way to prosecute said appeal - Now here moved the Court in pursuance of the 6th rule of this Court to have this appeal docketed and dismissed - On consideration whereof, it is now here ordered, adjudged and decreed by this Court that this appeal from the Circuit Court of the United States for the District of Columbia holden in and for the County of Washington be and the same is hereby docketed and dismissed with costs and that this cause be and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity to law and justice the said appeal notwithstanding

By the Ch: Jus Taney

In the matter of the United States vs Sherman M Booth	The Attorney General Cushing having filed and read in open Court the following motion in writing to wit:-

The Attorney General of the United States comes into court and shows to the Judges thereof, that the United States have caused a copy of the opinion filed and rule entered in this cause at the last Term to be served as required by said rule, upon the Clerk of the Supreme Court of the State of Wisconsin requiring him to make return to the writ of error in this cause, and gives the Court to understand that he has not made such return, and he thereupon moves the court for leave to file a duly certified copy of the record filed in said Supreme Court, and to docket the cause in this court, in conformity with the motion made at the last term thereof. Whereupon this court not being now here sufficiently advised of and concerning what order to make in the premises both time to consider.-

Thomas Jackson et al owners &c of Steamboat Metamphka — Appt. vs The Steamboat Magnolia H. J. Lames. master &c —	It is now here ordered by the Court that this cause do and the same is hereby continued to the next term under a curia,

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advisare vult.—

Enoch C Roberts-Affirm. vs James H. Cooper —	Mr Linton of counsel for the defendant in error moved the

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Court for an order requiring the plaintiff in error to give additional security in the sum of $25.000 or for such other sum as in the judgment of the court will be sufficient to answer all damages and costs &c which was opposed by Mr Romeyn of counsel for the plaintiff in error — whereupon this Court not being now sufficiently advised of and concerning what order to make in the premises took time to consider.—

216 Eneas McKinney Plff in Er.
vs
James C. Ramsey

Mr Taylor of counsel for the defendant in error moved the court to expunge the order entered in this cause on the 22d inst and to restore or reaffirm the order entered in the case on the 26th December last which was opposed by Mr Reundy Johnson of counsel for the plaintiff in error. On consideration whereof it is now here ordered by the court that the said motion be and the same is hereby overruled.

245 Eneas McKinney Plff in Er.
vs
James C. Ramsey

Mr Taylor of counsel for the defendant in error moved the court to dismiss this cause; which was opposed by Mr Reundy Johnson of counsel for the plaintiff in error. On consideration whereof it is now here ordered by the court that the said motion be and the same is hereby overruled.

209	The Erie and North East Rail Road Company vs Pff in er Joseph Casey	Mr Hanlon of counsel for the plaintiff in error moved the court for leave to withdraw and return to the Supreme Court of Pennsylvania the original papers sent up in order that a perfect record may be made up - On consideration whereof it is now here ordered by the court that the leave prayed for be and the same is hereby granted and that the said counsel leave a receipt therefor with the Clerk to be placed on the files of the court.—

209	The Erie and North East Rail Road Company. vs Pff in er Joseph Casey	Mr Hanlon of counsel for the plaintiff in error having suggested a diminution of the record in this case now here moved the court to award a writ of certiorari to be directed to the Judges of the Supreme Court of the State of Pennsylvania com=

manding them that searching the words and proceedings of said court in this cause they shall certify to this court under the seal of the said Supreme Court whatever omissions and errors shall be found on consideration whereof, it is now ordered and adjudged by this court that a writ of certiorari be and the same is hereby awarded to be issued forthwith and to be directed to the Judges of the said Supreme Court commanding them that searching the words and proceedings aforesaid they forthwith certify to this court under the seal of the said Supreme Court whatever omissions and errors shall be found in this cause and return the same with the said writ of certiorari forthwith to this court.

Per the Ch: Jus Taney

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Isaac N. Fisher-Appt. vs Jacob N. Haldeman	Mr Fisher of counsel for the appellant having suggested the death of Jacob N. Haldeman the appellee

in this cause, moved the court for an order under the 28th rule of court to make the proper representatives parties- on consideration whereof, it is now here ordered by the court that unless the proper representatives of the said Robt. Heiderman, deceased, shall voluntarily become parties within the first ten days of the ensuing term the appellant shall be entitled to open the record and on hearing have the same reversed if it be erroneous- Provided that a copy of this order shall be printed in some newspaper at the seat of Government in which the laws of the United States shall be printed by authority for three successive weeks at least sixty days before the beginning of the term of the Supreme Court next ensuing.—

Proclamation being made the court is adjourned until Wednesday March 6th at eleven o' clock

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable	Roger B. Taney,	Chief Justice
	John M. Clean	
	James M. Wayne	
	John Catron	Associate
	John C. Daniel	Justices
	Samuel Nelson	
	Robert C. Grier	
	Benj: R. Curtis	
	John A. Campbell	

Isaac N. Hoover Esquire Marshal
William Thomas Carroll Clerk.

Proclamation being made the court is opened

127	The United States - Appt. vs. Francis Larkin, Caroline A. Larkin, Frederick A. Larkin & Alfred Otis Larkin	Appeal from the District Court of the United States for the Northern District of California.

This cause came on to be heard on

the transcript of the record from the District Court of the United States for the Southern District of California and on the motion of Mr Cushing Attorney General of the United States and of counsel for the appellants and with the assent of Mr Laurence of counsel for the appellees - it is now here considered adjudged and decreed by this court that this appeal be and the same is hereby dismissed.

per Mr Ch: Jus Taney

The United States - Appts.

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vs

Thomas U. Sutherland, Guardian of Victoria, Isabel, Miguel & Helena, minor children of Miguel de Pedrorena and Maria Antonia Estudillo, his wife

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Appeal from the District Court of the United States for the Southern District of California

This cause came on to be heard on the transcript of the record from

the District Court of the United States for the Southern District of California and on the motion of Mr Cushing, Attorney General of the United States and of counsel for the appellant, it is now here considered, adjudged and decreed by this court that this appeal be and the same is hereby dismissed.

Per Mr Ch: Jus Taney.

151 The United States Appt: vs Antonio Maria Lugo

Appeal from the District Court of the United States for the Southern District of California and on the motion of Mr Cushing Attorney General of the United States and of counsel for the appellants, it is now here considered, adjudged and decreed by this court that this appeal be and the same is hereby dismissed.

Per the Ch: Jus Taney

Upon the opening of the Court Mr Attorney General Cushing addressed the court as follows:-

"May it please your Honors: I beg leave to submit a motion as to the public business, the dismissal of certain appeals specified in the accompanying list. It is the last official act which it will have devolved upon me to perform here as the representative of the United States. It is due to this Court, and it is due also to my own feelings, not to cease to appear before you in my official capacity without the utterance of a few appropriate words of parting salutation.-

Your Honors sit here to administer justice in its highest seats, having no array of martial force around you, no authority of Executive power, no supreme legislative control over the treasures & the political direction of the affairs of the Union. Yours is not the gauntleted hands of the soldier, nor yours the voice which commands armies, rules cabinets, or leads Senates; but, though you are none of these, yet you are backed by all of them. Yours is

the eternal power which sustains your moral authority; you are the incarnate mind of the political body of the nation. In the complex institutions of our country you are the fixed point upon which the rights and liberties of all, Government and people alike, rest; or rather you are the central light of constitutional wisdom around which they perpetually revolve. May this court retain the confidence of our country as the great conservator, not of the private peace only, but of the sanctity and integrity of the Constitution! As the supreme appellate tribunal of the country, your Honors possess not only its legal acquiescence in your judgments, but the deference for them which follows a long line of illustrious magistrates from the Jays and the Ellsworths, who organized, through the Marshalls, who developed, our federal judicial system and our federal jurisprudence. If you and your venerable Chief - venerable not more in years than in the accumulated wisdom of a long life of high duties - if you stay

"to the successors of the judicial fathers of the Republic, our country looks with undoubting confidence as the interpreters and the guardians of the organic laws of the Union.—

"These are public considerations. It will not, I trust, be deemed presumptuous in me to add a personal remark, which is that I retire from my place here with profound respect and with grateful regards for each one of your Honors."—

To which Mr Chief Justice Taney replied in the following words:—

"The Attorney General: I am sure that I express not only my own sentiments, but also those of my brethren, when I say that we shall cherish with pleasure the recollection of the kind feelings which have existed between us during the whole time of your official connexion with the Court; and we shall at all times be ready to bear witness to the ability, the learning, and the fidelity with which your high and important public duties have always been discharged."

Thursday March 5th 1857. 1750

Pursuant to adjournment the court met this morning at the Capitol

Present.—

The Honorable	Peter McLean	
	James M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Robert C. Grier	
	Benj: R. Curtis	
	John A. Campbell	

Isaac D. Hoover Esquire Marshal
William Thomas Carroll Clerk

Proclamation being made the court is opened

On motion first made to the court in this behalf by Mr Kennedy Attorney-it is ordered that R. J. Blackwell Esquire of Illinois and Carlos Posey Esquire of South Carolina be admitted to practice as attorneys and counsellors of this court and they were severally sworn accordingly.

John McCullough and Cyrus Culbertson
vs
Jeffs in error
Gurney & Roots and Erastus T. Cox

In error to the Circuit Court of the United States for the District of Maryland

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Maryland and was argued by counsel. On consideration whereof, it is now here ordered, and adjudged by this court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the courts of the State of Maryland

for the Dis: Campbell

Margaret McRea & Mary McRea, adms of John McMacy
vs
The Branch of the Bank of the State of Alabama at Mobile

Appeal from the Circuit Court of the United States for the Eastern District of Arkansas.—

This cause came on to be heard on the Transcript of the record from the Circuit Court of the United States for the Eastern District of Arkansas and was argued by counsel— On consideration whereof, it is now here ordered, adjudged and decreed by this court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar decrees bear in the courts of the State of Arkansas—

per Mr Jus: Curtis

The United States—Appts vs 57 Domingo Peralta & Vicente Peralta	Appeal from the District Court of the United States for the Northern

District of California

This cause came on to be heard

on the transcript of the record from the District Court of the United States for the Northern District of California and was argued by counsel - On consideration whereof, it is now here ordered, adjudged and decreed by this court that the decree of the said District Court in this cause be and the same is hereby affirmed

Per Mr Justice Grier

Dissenting Mr Justice Daniels.

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189 The Michigan Central Railroad Company Plffs in Er
vs
The Michigan Southern Railroad Company, John B. Jarvis, Elisha C. Litchfield, Thomas C. Davis, Guy Foote, Amos Root, and Moses A. McLaughlin.

In error to the Supreme Court of the State of Michigan

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Michigan and was argued by counsel - On consideration whereof, it is now here ordered and

adjudged by this court that this cause be and the same is hereby dismissed for the want of jurisdiction.—

Pr Mr Jus: Grier

The United States — Appts

vs

Thomas H Sutherland, Guardian of Victoria, Isabel, Miguel and Melina Pedroreni, minor children of Miguel de Pedroreni deceased

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Appeal from the District Court of the United States for the Southern District of California.—

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of California and was argued by counsel— On consideration whereof, it is now here ordered, adjudged and decreed by this court that the decree of the said District Court in this cause be and the same is hereby affirmed.

By the Jus: Grier

Dissenting: Mr Jus: Daniel

Albert Ballard, Charles Chadbourn, Elizabeth Gilman and Henry W. Reed 147 vs Philip F. Thomas, Collector	In error to the Circuit Court of the United States for the District of Maryland.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Maryland and was argued by counsel - On consideration whereof, it is now here ordered and adjudged by this court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs.-

Dr Mr Justice Nelson

Joseph Fellows, survivor of Robert Kindle - pff in Er 47 vs Susan Blacksmith, and Ely S. Parker, admr of John Blacksmith, decd	In error to the Supreme Court of the State of New York.

This cause came on to be heard on

the transcript of the record from the Supreme Court of the State of New York and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this court that the judgment of the said Supreme Court in this cause be and the same is hereby affirmed with costs.

per Mr Chs: Nelson

William Byers - Appt vs Francis Surget's heirs	Appeal from the Circuit Court of the United States for the Eastern District of Arkansas.

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This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Arkansas and was argued by counsel. On consideration whereof, it is now here ordered, adjudged and decreed by this court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

Pr Mr Jus: Daniel

103	Roswell Bebee etal vs Appts. William Russell	Appeal from the Circuit Court of the United States for the Eastern District of Arkansas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Arkansas and was argued by counsel— And it appearing to the court that the decree entered in this case is not a final decree— it is therefore now here ordered, adjudged and decreed by this court that this cause be, and the same is hereby dismissed for the want of jurisdiction.—

per Mr Jus: Wayne

101	James Farrelly, Edward O. Marlon etal heirs and representatives of Frederic Notrebe.— Appts. vs William N. Woodfolk	Appeal from the Circuit Court of the United States for the Eastern District of Arkansas.—

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Arkansas and was argued by counsel, and it appearing to the Court that the decree entered in this case is not a final decree - it is therefore now here ordered, adjudged and decreed by this court that this cause be and the same is hereby dismissed for the want of jurisdiction

Per Mr Jus: Wayne

William F. Bryan & Rudolphus Rose vs Jeffries Robert Forsyth	In error to the Circuit Court of the United States for the District of Illinois

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This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Illinois and was argued by counsel - On consideration whereof, it is now here ordered and adjudged by

this Court that the judgment of the said Circuit Court in this cause be and the same is hereby reversed with costs, and that this cause be and the same is hereby remanded to the said Circuit Court with direction to award a venire facias de novo.—

Pr Mr Jno: Catron

Dissenting: Mr Jno McLean

Charles Ballance, Plff in Er vs Joseph Papin. Henry Papin, and Mary Atchison	In error to the Circuit Court of the United States for the District

of Illinois—

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Illinois and was argued by counsel— On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby reversed

with costs, and that this cause be and the same is hereby remanded to the said Circuit Court with direction to award a venire facias de novo.

Wayne Mr Justice Catron dissenting Mr Justice McLean

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Friday March 6th 1857

Pursuant to adjournment the court met this morning at the Capitol

Present.-

The Honorable	Roger B. Taney,	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Robert C. Grier	
	Benj: R. Curtis	
	John A. Campbell	

Jonah D. Hoover Esquire Marshal
William Thomas Carroll Clerk

Proclamation being made the court is opened

On motion first made to the court in this behalf by Mr Clifford - it is ordered that Harvey M. Cleveland Esquire of New York City and George W. Gayle Esquire of Alabama be admitted to practice as attorneys and counsellors of this court and they were severally sworn accordingly.-

On motion just made to the court in this behalf by Mr Blair - it is ordered that J. M. Bowman Esquire of Wisconsin be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly

In the matter of the United States - vs Sherman M. Booth

A rule having been laid at the last term of this court upon the clerk of the Supreme Court of the State of Wisconsin to make a return of the writ of error heretofore issued from this court to the Supreme Court of the State of Wisconsin in the case of the United States vs Sherman M. Booth, which had before the issuing of the writ of error been adjudged and decided in the said court and the proof having been made that the said writ was duly served on the said clerk within the time thereby directed - and it further appearing that no return to the said

rule has yet been made — It is thereupon this 6th day of March 1857, ordered by the court upon the motion of the Attorney General of the United States, that the copy of the record in the said case filed by him be received and entered on the docket of this court, to have the same effect and legal operation as if returned by the clerk with the writ of error, and that the case stand for argument at the next term without further notice to either party. —

By the Ch: Jus: Taney

3 Stephen V. C. Akerman vs Jeff'n Davis Sherman Ch. Booth

On motion of the Attorney General touching of counsel for the plaintiff in error, it is now here ordered by the court that this cause be and the same is hereby continued to the next term of this court. —

Dred Scott - pff in er vs John. F. A. Sanford -	In error to the Circuit Court of the United States for the District of Missouri.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Missouri and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this court that the judgment of the said Circuit Court in this cause be and the same is hereby reversed for the want of jurisdiction in that court, and that this cause be and the same is hereby remanded to the said Circuit Court with directions to dismiss the case for want of jurisdiction in that court.

Present Mr. Ch: Jus Taney

The State of Pennsylvania
vs Compt.
The Wheeling & Belmont Bridge Company. —— In Equity

Ordered by the court that the Clerk of this court be allowed one per cent, on the amount of money paid into this court, in the above mentioned case, by order of the court, for his care and responsibility in receiving and paying out the same - and that he be and is hereby authorized to retain the said amount out of the money now remaining in his hands.

Pr Mr Ch: Jus Taney

Proclamation being made the Court is adjourned until to morrow morning at eleven o. clock

Pursuant to adjournment the court met this morning at the Capitol

Present.—

The Honorable	Roger B. Taney,	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices.
	Robert C. Grier	
	Benj: Curtis	
	John A. Campbell	

Enoch A. Hoover Esquire Marshal
William Thomas Carroll Clerk.

Proclamation being made the court is opened.

On motion first made to the court in this behalf by Mr Doolittle, it is ordered that S. M. Blair Esquire, of Wisconsin and Wm. H. Hyman Esquire of New York be admitted to practice as attorneys and counsellors of this court and they were severally sworn accordingly

On motion first made to the Court in this behalf by Mr Reverdy Johnson, it is ordered that H.B. Brooman Esquire of Michigan be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.-

	Dred Scott - Plff in er vs John F.A. Sandford.	Seperate opinions were read by the Justices McLean, Curtis, Daniel, Grier, Campbell and Wayne in this case

Proclamation being made the Court is adjourned to the time and place appointed by law

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At the Capitol of the United States in the City of Washington and District of Columbia, being the present seat of the National Government of the United States, on the first Monday of December (being the Seventh day of the same month) in the year of our Lord one thousand eight hundred and fifty seven, and of the Independence of the United States the eighty second, the Supreme Court of the United States met agreeably to law

Present

The Honorable,	Roger B. Taney,	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Robert C. Grier	
	John A. Campbell	

Jonah D. Hoover Esquire, Marshal
William Thomas Carroll, Clerk

Proclamation being made the Court is opened

The Honorable Jeremiah S. Black appeared and produced the following Letters patent, which were read in open Court and ordered by the Court to be recorded on the minutes of this Court, in the following words, viz -

——James Buchanan,——
President of the United States of America,
To all who shall see these presents, Greeting;

Know Ye; That reposing special trust and confidence in the integrity, ability and learning of Jeremiah S. Black of Pennsylvania, I have nominated, and, by and with the advice and consent of the Senate do appoint him Attorney General of the United States, and do authorize and empower him to execute and fulfil the duties of that office according to law, and to have and to hold the said office with all the powers, privileges and emoluments thereunto of right appertaining, unto him, the said Jeremiah S. Black, during the pleasure of the President of the United States for the time being.

In Testimony whereof, I have caused these Letters to be made patent

and the seal of the United States to be hereunto affixed. Given under my hand at the City of Washington, the Sixth day of March in the year of our Lord one thousand eight hundred and fifty seven and of the Independence of the United States of America the Eighty first.—

(Seal)

By the President— James Buchanan

W. L. Marcy, Secretary of State.—

On motion first made to the Court in this behalf by Mr Cushing, it is ordered that Jeremiah S. Black Esquire of Pennsylvania be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly—

On motion first made to the Court in this behalf by Mr J. W. Bradley it is ordered that Geo W. Watkins Esquire of Arkansas be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.—

Monday December 7th 1857 Continued

On motion first made to the Court in this behalf by Mr Gillet it is ordered that Walter Merriman Esquire of Texas be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

28	The United States - Appts vs Juan Pacifico Ontiveras	Appeal from the District Court of the United States for the Southern District of California.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of California and on the motion of Mr Black, Attorney General of the United States, and of Counsel for the appellants, it is now here considered, adjudged and decreed by this Court that this appeal be and the same is hereby dismissed.

pr Mr Ch. Jus. Taney.

39	The United States - Appt vs John L. Gore	Appeal from the District Court of the United States for the Northern District of California.

This Cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of California, and on the motion of Mr Black Attorney General of the United States and of counsel for the appellants, it is now here considered, adjudged and decreed by this Court that this appeal be and the same is hereby dismissed.

per Mr Ch. Jus. Taney

38	The United States - Appts vs Juan Perez Pacheco	Appeal from the District Court of the United States of the Northern District of California.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of California and on the motion

of Mr Black, Attorney General of the United States and of Counsel for the appellants, it is now here considered, adjudged and decreed by this Court that this Appeal be and the same is hereby dismissed.

p. Mr Ch. Jus. Taney.

101	The United States Appt vs George C. Gouch	Appeal from the District Court of the United States for the Northern District of California.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of California, and on the motion of Mr Black Attorney General of the United States and of Counsel for the appellant, it is now here considered, adjudged and decreed by this Court that this appeal be and the same is hereby dismissed

p. Mr. Ch. Jus. Taney.

105 The United States Appt
vs
John B. R. Cooper

Appeal from the District Court of the United States in the Northern District of California.

This cause came on to be heard on the transcript of the records from the District Court of the United States for the Northern District of California, and on the motion of Mr Black Attorney General of the United States and of Counsel for the appellants, it is now here considered, adjudged and decreed by this Court that this appeal be and the same is hereby dismissed.

Pr Mr Ch. Jus: Taney

131 The United States Appt
vs
Charles M. Weber

Appeal from the District Court of the United States for the Northern District of California.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of California, and

Monday December 7th 1857 Continued

on the motion of Mr Black Attorney General of the United States and of counsel for the Appellants, it is now here considered, adjudged and decreed by this Court that this appeal be and the same is hereby dismissed.

pr Mr Ch: Jus: Taney

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The United States Appts
vs
Anastasio Ybarboya

Appeal from the District Court of the United States for the Northern District of California.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of California, and on the motion of Mr Black Attorney General of the United States and of Counsel for the Appellants, it is now here considered, adjudged and decreed by this Court that this appeal be and the same is hereby dismissed.

pr Mr Ch: Jus: Taney

The Ocean Queen Steam Boat Company Appellants
vs
The Ship Ocean Queen & Steamship Crescent City. Appellees

On motion of Mr Cushing of counsel for the Ship Ocean Queen suggesting the indisposition of Mr Ewing and his consequent inability to be present & with the assent of Mr Benjamin counsel for the appellants in No 4, - It is now here ordered by the Court that these causes be and the same are hereby postponed for the present. -

Chas. Hill et al, owners of Ship Ocean Queen Appellants
vs
The U States Mail Steamship Company, Claimants.
and
Geo. Law et al, owners U.S. Mail Steamship Crescent City Appellants
vs
Chas. Hill et al, owners of Ship Ocean Queen

Mr Chief Justice Taney announced to the Bar that the Court would commence the call of the Docket to morrow, under the 36th rule. -

Proclamation being made the Court is adjourned until to morrow morning at eleven O'clock. -

Tuesday December 8th 1857

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable	Roger B. Taney	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Robert C. Grier	
	John A. Campbell	

Jonah D. Hoover, Esquire, Marshal
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened.

On motion leave made to the Court in this behalf by Mr Gillett - it is ordered that Charles Theo Russell Esq of Massachusetts be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The Peoples Niagara &
Ansel R. Gibbs et al, Claimts
vs Appts
31 Jno Gh R. Gordes.

On motion of Mr Gillet of counsel for the appellants and with the assent of Mr Kirwan of Counsel for the appellants - It is now here ordered by the Court that this cause be and the same is hereby continued to the next term of this Court -

The Peoples Niagara,
Ansel R. Gibbs et al, Claimts
vs Appts
32 Lester Seyton et al

On motion of Mr Gillet of counsel for the appellants and with the assent of Mr Kirwan counsel for the appellants - It is now here ordered by the Court that this cause be and the same is hereby continued to the next term of this Court -

William Wagner Appellee
vs
Chesley B. Morris et al

Mr Hayes of counsel for the plaintiff in error filed and read in open Court the following motion in

this cause, to wit.—

"Robert H. Wynn produces to the Court here a duly authenticated transcript of the will of William Wynn the Plaintiff in error herein, whose death was suggested at the last term of this court, whereby it appears that he is the Executor of said will, and devisee of the Land here in controversy, and prays that this suit be revived and progress to final hearing in his name as such Executor and devisee, plaintiff in error on this records.—

S. S. Baxter, for plff"

And having moved the Court accordingly. It is thereupon now here ordered by the Court that the appearance of Robert H. Wynn, the Executor and devisee of William Wynn, deceased, be entered as the plaintiff in error, in this cause and that he be and hereby is made the party plaintiff in error in this cause with leave to prosecute this writ of error.—

12. Josiah Garland, pltff in Er
vs
William Wynn

Mr Watkins of Counsel for the plaintiff in error having filed and reads in open Court, the following motion in this cause, to wit:-

"The plaintiff in error produces to the Court here, a duly authenticated copy of the will of William Wynn, the defendant in error in this cause, and whose death was suggested at the last term of this Court, whereby it appears that Robert H. Wynn is the Executor of said will, and devisee of the Land here in controversy, and prays that this cause may be revived and progress to final hearing in the name of said Robert H. Wynn, being such Executor and devisee as the defendant in error.-

S. H. Bradley - Geo. K. Watkins for pltff in error". - And having moved the Court accordingly, - It is thereupon now here ordered by the Court that the Appearance of Robert H. Wynn, the Executor and devisee of William Wynn deceased, be entered as the defendant in error in this

cause and that he be and hereby is made the party defendant in error in this cause with leave to resist this writ of error.—

1	White, Stevens & Co. Plff in Er vs Reuben Rose's admr	This cause was argued by Mr Benjamin of Counsel for the plaintiffs in error.—

2	Benjamin F. Morgan plff in er vs Alfred G. Curtenius et al	This cause was called by the Court and on learning that no return to the certiorari issued in this case had been filed.— It is thereupon now here ordered by the Court that this cause be and the same is hereby postponed for the present.—

3 119	Stephen V. R. Ableman vs Plff in Er Sherman M. Booth and The United States Plff in Er vs Sherman M. Booth	On the motion of Mr Attorney General Black of Counsel for the plaintiffs in error, it is now here ordered by the Court that Na

S. be and the same is hereby postponed until No 119 is called, and that then these two cases be argued at the same time. –

4	The Ocean Steamboat Company owners &c Appts vs The Ship Ocean Queen & the Steamship Crescent City –	Motion of Counsel for the United States mail Steamship Company, having suggested to the Court that it would not take jurisdiction of the several appeals as now entered
9	Chas Hill et al owners of Ship Ocean Queen Appts vs The U. States Mail Steamship Company, &c &c And	
10	Geo Law et al, owners U.S. Mail Steamship &c &c Appts vs Chas Hill et al, owners of Ship Ocean Queen	

on the docket of this Court moved the Court to order proper appeals to be entered herein or for such other order as the Court may provide to render in the premises – which was opposed by Messrs Benjamin and Hushing, who insisted on arguing the several appeals as now docketed. – Whereupon this Court not being now here sufficiently advised of and,

concerning what order to render in the premises took time to consider. —

Adolphus Durant Appt vs Samuel Laurence et al	The argument of this cause was commenced by Mr Gillet of Counsel for the Appellant.

36 Rufus Allen et al Appts vs Henry L. Newbery Claimt of Steamboat Fashion et al	On the motion of Mr Gillet of Counsel for the Appellee and with the assent of Mr Raven of Counsel for the Appellants. It is now here ordered by the Court that this cause be and the same is hereby continued to the next term of this Court.

Proclamation being made the Court is adjourned until to morrow morning at eleven Oclock. —

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable	Roger B. Taney	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Robert C. Grier	
	John A. Campbell	

Jonah D. Hoover, Esquire, Marshal,
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Ld Howard, it is ordered that Charles J. M. Gwinn, and Robert M. McCune Esquires of Maryland, and W Henderson Esquire of Indiana, be admitted to practice as Attorneys and Counsellors of this Court and they were severally sworn accordingly.

5	Adolphus Durand vs Appl Samuel Laurence	The argument of this Cause was continued by Mess^rs Merwin and Loring of Counsel for the appellees.

Proclamation being made the Court is adjourned until to morrow morning at eleven O'clock. —

Thursday December 10th 1857.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable	Roger B. Taney,	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Robert C. Grier	
	John A. Campbell	

Jonah D. Hoover, Esquire, Marshal.
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Gillet it is ordered that Daniel D. Jones Esquire of Indiana be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

The Ocean Towboat Company owners &c vs The Ship Ocean Queen &c and Wha[s] Will owners of Ship Ocean Queen vs The U. States mail Steamship Co. &c	On consideration of suggestion made in these cases on a prior day of the present term to wit; on Tuesday the 8th inst and of the arguments of Counsel thereupon had as well against the motion as in support thereof. It is now here considered by the Court that the decrees in these two cases are final decrees, and that therefore these cases are now in a condition to be heard as they stand docketed.
The Ocean Towboat Comp[y] owners &c vs Appts The Ship Ocean Queen &c	On the motion of Mr Bushing in behalf of Mr Butling. It is now here ordered by the Court that this cause be and the same is hereby postponed to be argued at the same time with No 9 and that they shall not be called up for argument before Monday next. —

6 Spalding & Rogers Appts vs The Corporation of Baton Rouge	On motion of Mr Benjamin of Counsel for the plaintiffs in error – It is now here ordered that this cause be and the same is hereby postponed to the first of the docket.

7 Levi Morrill Pltff in Er vs John G. Myers	In error to the Circuit Court of the United for the District of Maine. –

This cause came on to be heard on the transcript of the record from the the Circuit of the United States for the District of Maine and on the motion of Mr Fessenden on behalf of Mr Clifford of Counsel for the plaintiff in error, stating that the parties had entered into a stipulation that the matters in controversy had been agreed and settled between them and that this writ of error should be dismissed. On consideration whereof, it is now here ordered and adjudged by this Court that this writ of error be and the same is hereby dismissed at the cost of the plaintiff in error. – Opn Mr Ch. Jus. Taney –

6	Adolphus Durand Appt vs Samuel Lawrence et al	the argument of this cause was continued by Mr Loring of Counsel for the appellees, and concluded by Mr Gushing of Counsel for the appellants. —

8	Robert H. Wynn Exor & devisee of William Wynn dec'd vs Elijah Ellis Exr & Rhesa B. Morris et al	This cause was submitted to the consideration of the Court on the record and printed arguments by Mr Pike of Counsel for the plaintiff in error and by Messrs Bradley & Watkins of Counsel for the defendants in error. —

12	Josiah Garland Plff in Er vs Robert H. Wynn Exr & devisee of William Wynn dec'd	This cause was submitted to the consideration of the Court on the record and printed arguments of Messrs Bradley & Watkins of Counsel for the plaintiff in error and by Mr Pike for the defendant in error. —

Proclamation being made the Court is adjourned until to morrow morning at eleven O'clock. —

Friday December 11th 1857.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable	Roger B. Taney,	Chief Justice
	John McLean.	
	James M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Robert C. Grier.	
	John A. Campbell	

Jonah D. Hoover, Esquire, Marshal
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr Guillemin it is ordered that John H. Reagan and W. P. Ballinger Esquires of Texas, be admitted to practice as Attorneys and Counsellors of this Court and they were severally sworn accordingly.

On motion first made to this Court in this behalf by Mr Jo H. Bradley it is ordered that Arthur W. Machen Esquire of Maryland be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.—

On motion first made to the Court in this behalf by Mr Carlisle it is ordered that F. F. Morris Esq of New Jersey be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

Augustus Hemenway Claim of the Ship Independence vs Appls
William B. Fisher, Claim

Nov 6 1856

Mr Bartley of Counsel for the Appellee now here moved in open Court the Mandate issued by the Clerk in this case, and moves the Court to amend the decree rendered in this case at the last term by giving to the appellee damages on the decree of the Circuit Court at the rate of six per centum per annum.— which motion

was opposed by Mr Dehon of Counsel for the appellant — whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider. — (vide post 24 Dec 1857)

The Lessee of Thos Bancel et al vs Alfred H. Dawson et al	The argument of the motion to dismiss this cause was commenced by Mr A.L. Jones of Counsel for the defendants in error, in support thereof, continued by Messrs Rodin & Love in opposition thereto & concluded by Mr Bradley in support of the motion

Robert Taylor admr vs Nathan S. Carryl who survived Wm L. Ward	The argument of this cause was commenced by Mr Woods of Counsel for the plaintiffs in error, and continued by Mr Evarts of Counsel for the defendants in error. —

Proclamation being made the Court is adjourned until Monday morning at Eleven O'Clock.

Monday December 14th 1857

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable	Roger B. Taney,	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Robert C. Grier	
	John A. Campbell	

Jonah D. Hoover, Esquire, Marshal
William Thomas Carroll, Clerk

Proclamation being made the Court is opened.—

11	Robert Taylor's admr vs Nathan F. Cary[illegible], who survived Wm S. Mandy	The argument of this cause was concluded by Mr. Badwallader of Counsel for the plaintiffs in error.—

4 The Ocean Steamboat Company owners &c
vs
The Ship Ocean Queen &c
and
Libel Filed
9 The U. States mail Steamship Comp. &c
vs
The U. States mail Steamship Comp. &c

The argument of this case was commenced by Mr Benjamin of Counsel for the Ocean Steamboat Company.

Proclamation being made the Court is adjourned until to morrow morning at eleven o'clock. —

Tuesday December 15th 1857.

Pursuant to adjournment the Court met this morning at the Capitol.

Present,

The Honorable	Roger B. Taney,	Chief Justice
	Wm McLean	
	James M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Robert C. Grier	
	John A. Campbell	

Jonah D. Hoover, Esquire, Marshal
William Thomas Carroll, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf & Mr Rushing it is ordered that John B. Bristow Esq. of Minnesota be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

4 The Ocean Steboat Comp'y &c Libels
vs Appts
The Ship Ocean Queen &c
and
Chas Bill &c Owners of Ship
Ocean Queen
9 vs Appts
The U. States Mail Steamship Co &c &c

The argument of this causes was continued by Mr Bushing of Counsel for the "Ocean Queen" and by Mr Culling of Counsel for the "Libellants"

Proclamation being made the Court is adjourned until to morrow morning at eleven O'clock.

Wednesday December 16th 1857.

Pursuant to adjournment the Court met this morning at the Capitol -

Present

The Honorable	Roger B. Taney,	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	
	Peter V. Daniel	
	Samuel Nelson	
	Robert C. Grier	
	John A. Campbell	

Jonah D. Hoover, Esquire, Marshal
William Thomas Carroll, Clerk -

Proclamation being made the Court is opened.

4	The Ocean Towboat Company, owners &c. vs The Ship Ocean Queen &c Appts.	The argument of this cause was concluded by Mr Benjamin Counsel for the Ocean Towboat Company -
9	and: The Nat'l Mail, owners of Ship Ocean Queen vs The U States mail Steamship Co. &c. &c Appts.	

George Law et al, claiming the United States mail Steamship Company, Claimants of the Steamship Crescent City. Appellants
vs
10 Schl Hill et al owners of the Ship Ocean Queen. —

Appeal from the Circuit Court of the United States for the Eastern District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Louisiana, and it appearing to this Court that there is no final decree in this case. It is therefore now here ordered and decreed by this Court that this cause be and the same is hereby dismissed for the want of jurisdiction.

Pr Mr Ch. Jus: Taney

The Rector &c of Christ Church in the City &c Phila: in Trust for Christ Church Hospital. Plaintiffs in Error
13 vs
The County of Philadelphia

This cause was submitted to the consideration of the Court on the record and printed arguments by Messrs Wallis & Meredith of Counsel for the

plaintiffs in error and by Mr Porter of Counsel for the defendant in error.—

Thomas Jackson val owners of the Steamboat Wetumpka vs The Steamboat Magnolia	Printed argument by Mr Morgan of Counsel for the Appellee in this Cause were submitted to the Court.

11 No 1582

James K. Donaldson, Sheriff &c vs Catherine McMasters by her next friend Manuel Ybarba val	The argument of this Cause was commenced by Mr Veale of Counsel for the plaintiffs

15

in error.—

Proclamation being made the Court is adjourned until to morrow at eleven O'Clock.—

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable	Roger B. Taney,	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Robert C. Grier &	
	John A. Campbell	

Jonah D. Hoover, Esquire, Marshal
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in his behalf by Mr Reverdy Johnson - it is ordered that Charles Sweeny and Claudius L. Monnet, Esquires, of New York be admitted to practice as an Attorneys and Counsellors of this Court and they were severally sworn accordingly.

On motion first made to the Court in this behalf by Mr Fendall - it is ordered that Fendall Marbury Esquire of Maryland be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.-

James R. Jones vs plffs in Er
vs
Catherine Mc Masters by her next friend Manuel Ybarbo vs

The argument of this cause was continued by Mr Hughes of Counsel for the defendant in error, and concluded by Mr Hale of Counsel for the plaintiffs in error.-

Proclamation being made the Court is adjourned until to morrow morning at eleven o'clock.-

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable	Roger B. Taney,	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Robert C. Grier &	
	John A. Campbell.	

Jonah D. Hoover Esquire Marshal.
William Thomas Carroll Clerk.

Proclamation being made the Court is opened

The President Directors & Company of the Northern Bank of Kentucky vs George W. Squire	In error to the Supreme Court of the State of Louisiana

59

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Louisiana, and on the motion of Mr Blair of Counsel for the plaintiffs in error, stating that the

matters in controversy in this case had been agreed and settled between the parties. It is therefore now here ordered and adjudged by this Court that this cause be and the same is hereby dismissed with costs. -

per Mr Ch: Jus: Taney. -

John W. Gordon, John H. McBurney and William B. Royall. plff in Er

vs

Isaac E. Nethingham, Charles M. Newell, William M. Newell & James Newell, partners doing business under the name & style of Nethingham, Newell & Co

63.

On error to the District Court of the United States for the District of Texas. -

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Texas, and on the motion of Mr Ballinger, of Counsel for the plaintiffs in error stating that the matters in controversy in this case had been agreed and settled between the parties -

It is therefore now here ordered and adjudged by this Court that this cause be and the same is hereby dismissed with costs. per Mr Ch: Jus: Taney.

John Griffin — pltff in err vs Gilbert Cameron	In error to the Circuit Court of the United States for the District of Columbia holden in and for the County of Washington.

213

Mr Bradley of Counsel for the defendant in error having filed and read in open Court the following certificate to wit;

"District of Columbia, Washington County, to wit.

I, John A. Smith, Clerk of the Circuit Court of the District of Columbia for the County of Washington, do hereby certify that in a certain judgement rendered by said Court at the March Term thereof in the year 1856 in which Gilbert Cameron was plaintiff and John Griffin was defendant, the said defendant filed his appeal bond, and thereupon a writ of error was issued to said Cause to the Supreme Court of the United States returnable to the next Term thereof being December Term 1856. And I further certify that said writ of error is still pending and all proceedings thereby suspended in the said Circuit Court. In

testimony whereof, I have hereunto subscribed my name and affixed the seal of said Court, this 15th day of December 1857.

Jno. A. Smith Clk"

and having stated that the plaintiff in error had altogether failed to file the record of said cause in this Court, or in any way to prosecute said writ of error, now here moved the Court in pursuance of the 6th rule of this Court, to have this writ of error docketed and dismissed - On consideration whereof, it is now here ordered and adjudged by this Court that this writ of error to the Circuit Court of the United States for the District of Columbia be and the same is hereby docketed and dismissed with costs, and that this cause be and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity to law and justice the said writ of error notwithstanding. -

Opd Mr Ch. Jus: Taney. -

David S. Hickok val owners of the Steamboat New York - Appts vs 20. James Stewart val Claimt of the Brig Croton. -	Mr Phillips of Counsel for the Appellants moved the Court for an order to

incorporate the additional testimony filed in this cause on the 16th instant with the record and as a part thereof for the argument and consideration of this cause, or for a writ of certiorari to supply such testimony whereupon this Court not being now sufficiently advised of and concerning what order to render in the premises took time to consider.

Isaac M. Fishes - Appt vs 58 C. M. Halderman val	On the motion of Mr Reverdy Johnson of Counsel for the Appellees and on the

stipulation of the Counsel of the respective parties herein. It is now here ordered by the Court that John Halderman, Jacob S. Halderman, Richard S. Halderman and Robert S. Ross, Executors of the last will and testament of Jacob M. Halderman deceased

one of the appellees in this cause be and they are hereby substituted and made appellees in the place of their testator the said Jacob M. Haldeman, deceased.

106 Horace L. Tibby, val. Appts vs Elisha Foote

Mr Gillet of Counsel for the appellee moved the Court to dismiss this appeal for the reasons set forth in his written motion now filed herein. whereupon it is now here ordered by the Court that the Counsel for the appellee give the opposing Counsel two weeks notice of this motion and that he then have leave to call up the same.

16 John Bacon val. Appts vs Volney E. Howard

Mr Hale of counsel for the appellants having filed a suggestion of the death of Alexander Symington one of the appelants and the appearance of James N Dickson, James G. Barclay and Francis K. Ferguson Executors of the last will and testament of said Alexander

Symington moved the Court for an order substituting the said Executors and making them appellants in the place of said Alexander Symington, deceased - On consideration whereof, it is now there ordered by the Court that the appearance of said James N. Richardson, James S. Barclay and Frances D. Ferguson, Executors of the last will & testament of Alexander Symington, deceased as aforesaid be and the same is hereby entered as appellants and that they are hereby made co appellants in this cause with the right to prosecute this appeal.

16 John Bacon vs. Alex. vs Volney E. Howard

The argument of this cause was commenced by Mr Hall of Counsel for the appellants, continued by Mr Hughes of Counsel for the appellee, and concluded by Mr Hall for the appellants.

Proclamation being made the Court is adjourned until Monday morning eleven O'clock.

Monday December 21st 1857

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable	Roger B. Taney,	Chief Justice
	John Mc Lean	
	James M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Robert C. Grier	
	John A. Campbell	

Jonah D. Hoover Esquire Marshal.
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr Carlisle It is ordered that A. C. Bancroft Davis Esquire of New York be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

17	I. Temple Doswell plff in Er vs Enrique de la Lonzo def	The argument of this cause was commenced by Mr Hale of Counsel for the plaintiff in error, continued by Mr Merriman of Counsel for the defendants in error, and by Mr Hale for the plaintiff in error.
20	David I. Hickok & al owners of the Steamboat New York vs Appeal James Stewart & al, Claimts of the Brig Croton	Mr Wallis of Counsel for the appellants having filed and read in open Court a suggestion

of a diminution of the transcript of the record filed in this cause in this words, "the omission of the testimony of A. H. Sumnels of I. G. Williamson, of P. M. Moore and of Captain Sheffield" by reason of such omissions and errors aforesaid now here moved the Court for the awards of a writ of Certiorari to be directed to the Judges of the Circuit Court of the United States for the Southern District of Alabama, Commanding them that

Searching the records and proceedings of said Court in this cause they shall certify to this Court under the seal of the said Circuit Court what omissions and errors shall be found; On consideration whereof, it is now here ordered and decreed by this Court that a writ of Certiorari be and the same is hereby awarded to be issued forthwith and to be directed to the Judges of the Circuit Court of the United States for the Southern District of Alabama Commanding them that searching the records and proceedings aforesaid they forthwith certify to this Court under the seal of the said Circuit Court whatever omissions and errors shall be found in this cause and return the same with the said writ of Certiorari forthwith to this Court.—

Proclamation being made the Court is adjourned until to morrow morning at Eleven Oclock

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Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable	Roger B. Taney,	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Robert C. Grier &	
	John N. Campbell	

Jonah D. Hoover Esquire, Marshal
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened.

On motion just made in the Court in this behalf by Mr Reverdy Johnson it is now here ordered by the Court that William J. Groesbeck, Esquire, of Ohio, be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

6

22	The United States Appt vs John C. Gore	On motion of G. T. Curtis of Counsel for the Appellee and with the assent of Mr Gillet for the appellant — It is now here ordered by the Court that the Clerk have leave to issue a writ of procedendo in this cause as soon as the same can be prepared. —
17	S. Temple Dowell — plff in e vs Enrique de la Lanzorat	The argument of this cause was concluded by Mr Hale for the plaintiff in error. —
18	David D. Withers — plff in e vs Ransom Buckley, etal	The argument in this cause was commenced by Mr Benjamin of Counsel for the plaintiff in error, continued by Mr Carlisle of Counsel for the defendants in error and concluded by Mr Benjamin for the plaintiff in error. —

19	Amos Wade - pltff vs Jacob R. Leroy et al	The argument of this cause was commenced by Mr Gillet of Counsel for the plaintiff and continued by Mr O'Conor of Counsel for the defendants.
187	The United States - pltff vs Charles Fossat	It is now here ordered by the Court that the Clerk have this record printed with all convenient despatch and that this cause be and the same is hereby set down for argument on the 4th Monday (25th) instant.

Proclamation being made the Court is adjourned until to morrow morning at eleven O'clock.

Wednesday December 23d 1857.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable	Roger B. Taney,	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Robert C. Grier	
	John A. Campbell	

Jonah D. Hoover Esquire, Marshal
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened

Amos Wade - plff vs Jacob R. Leroy et al	The argument of this cause was concluded by Mr Gillet of Counsel for the plaintiff.

Proclamation being made the Court is adjourned until to morrow morning at eleven O'Clock.

Pursuant to adjournment the Court met this morning at the Capitol.

Present,

The Honorable	Roger B. Taney,	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Robert C. Grier	
	John A. Campbell	

Jonah D. Hoover, Esquire Marshal.
William Thomas Carroll, Clerk

Proclamation being made the Court is opened.

Augustus Hemenway, Claimt of the Ship Independence - Appt vs William B. Fisher Libt	On consideration of the motion made in this cause on a prior day of

46 7 1856

the present term of this Court, to wit, on Friday the 11th instant, by Mr Bartlett, of Counsel for the appellee to amend the decree entered in this case at the last term, by giving to the

as to the damages at the rate of six per centum per annum on the decree of the Circuit Court, and of the arguments of Counsel thereupon had as well against as in support thereof. It is now here ordered by the Court that said motion be and the same is hereby overruled.

Pr Mr Ch. Jus. Taney.—

Ex parte: In the matter of Jacob Mussina and Angela Garcia Lafon de Tarnava et al, vs Rafel Garcia Cavazos et uxor et al

On motion for a rule on the Honorable John C. Watrous Judge of the District Court of the United States for the Eastern District of Texas, to show cause &c.—

Mr. Benjamin of Counsel for the said Jacob Mussina and Angela Garcia Lafon de Tarnava appellants as aforesaid and two of the defendants in the above entitled cause moved the Court for a rule on the Honorable John C. Watrous, Judge of the District Court of the United States for the Eastern District of Texas, requiring him to show cause on the first

Monday of February next why a peremptory writ of Mandamus should not issue directing him to allow the appeal of the said defendants from the final decree rendered against them in the above entitled cause. And to grant all such legal orders as may be necessary to enable said defendants to bring said appeal regularly before this Court. On consideration whereof, it is now here ordered by the Court that a rule on the Honorable John C. Watrous, Judge of the District Court of the United States for the Eastern District of Texas requiring him to show cause on the first Monday of February next, why a peremptory writ of Mandamus should not issue for the purpose above stated be and the same is hereby granted.

And it is further ordered that a copy of this rule be forthwith served on the said District Judge.

pr Mr Ch. Jus Hemphill

The United States Appt vs 222 James Noe	Appeal from the District Court of the United States for the Northern District of California.

Mr Tindall Marbury of Counsel for the appellee having filed a transcript of the record of this cause duly certified by the Clerk under the seal of the District Court of the United States for the Northern District of California, and having stated to the Court that the appellants had altogether failed to file the record of said cause in this Court, or in any way to prosecute the appeal in this case, now here moved the Court in pursuance of the 63d rule of this Court, to have this appeal docketed and dismissed On Consideration whereof it is now here ordered and decreed by this Court that this appeal from the District Court of the United States for the Northern District of California be and the same is hereby docketed and dismissed, and that this cause be and the same is hereby remanded to the said District Court for further proceedings to be

had therein in conformity to law and justice the said appeal notwithstanding.—

Pr Mr Ch; Jus; Taney,

No 1

Henry White & James Stevens Merchants trading under the firm of White, Stevens & Co. — Vs pltffs in Er
Caleb S. Tucker, & Lucinda Jane Noble Rose, adm[x] of Paschal Rose, deceased. —

In error to the Circuit Court of the United States for the Eastern District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Louisiana and was argued by Counsel — On consideration whereof, it is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs. —

By a divided Court, —

Edwin M. Chaffee Trustee 31 vs pltff in Er Nathaniel Haywards	Mr Pittman of Counsel for the defendant in error having filed a written motion to dismiss this writ of error, because the Citation was signed by the Clerk of the Circuit Court and not by the Judge as required by law, Mr Gillet of the Counsel for the plaintiff in error opposed. Whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.
Horace H. Day pltff in Er vs Nathaniel Haywards	Mr Pittman of Counsel for the defendant in error having filed a written motion to dismiss this writ of error because the Citation was signed by the Clerk of the Circuit Court and not by the Judge as required by law. Mr Gillet of Counsel for the plaintiff in error opposed. Whereupon this Court not being now here sufficiently advised of and concerning what order to render.

in the premises took time to consider..

Proclamation being made the Court is adjourned until tuesday next at eleven o'clock

Tuesday December 29th 1857.

Pursuant to adjournment the Court met this morning at the Capitol.

Present-

The Honorable	Roger B. Taney	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Robert C. Grier	
	John A. Campbell	

Jonah D. Hoover Esquire, Marshal
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened

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21 Robert Hudgins &al Appts
vs
Wyndham Kemp, assignee
and
22 Elliott W. Hudgins &al Appts
vs
Wyndham Kemp assignee

The argument of this cause was commenced by Mr Lyons of Counsel for the Appellants and Continued by Mr Conway Robinson of Counsel for the Appellee.

Proclamation being made the House is adjourned until to morrow morning at eleven O'clock.

Wednesday December 30th 1857

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Justices	Roger B. Taney,	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Robert C. Grier &	
	John A. Campbell	

Edward D. Rowen, Esquire Marshal
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened

The Rector, Church Wardens & Vestry of Christ Church in the City of Philadelphia in trust for Christ Church Hospital		In error to the Supreme Court of Pennsylvania.
vs		
The County of Philadelphia		

13

This cause came on to be heard on the Transcript of the record from the Supreme Court of Pennsylvania

and was argued by Counsel - On consideration thereof, it is now here ordered and adjudged by this Court that this Cause be and the same is hereby dismissed for the want of jurisdiction. -

pr Mr Jus; Campbell

Robert M. Mann Exr & devisee of William Mann dec'd. -
vs
Charles B. Morris, Martha Morris & Hezekiah Taylor.

Error to the Supreme Court of the State of Arkansas. -

This Cause came on to be heard on the Transcript of the record from the Supreme Court of the State of Arkansas and was argued by Counsel - On consideration whereof, it is now here ordered and adjudged by this Court that this Cause be and the same is hereby dismissed for the want of jurisdiction. -

pr Mr Jus Catron. -

12	Lucian Garland — plff in Er vs Robert A. Wynn Exr & devisee of William Wynn, decd	In error to the Supreme Court of the State of Arkansas.

This cause came on to be heard on the Transcript of the record from the Supreme Court of the State of Arkansas and was argued by Counsel — On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be and the same is hereby affirmed with costs.

per Mr Chief Justice.

13	The Lessee of Clara Carroll, Maria L. Fitzhugh & others, devisees of Daniel Carroll, of Duddington vs Nicholas Dorsey, Noah Dorsey, Richard Dorsey & Tristram T. Dorsey heirs at law of Richd R. Dawson deceased.	On error to the Circuit Court of the United States for the District of Columbia, holden in and for the County of Washington.

This cause came on to be heard on the Transcript of the record from the Circuit Court

of the United States for the District of Ala. holden in and for the County of Mobile, and on the motion of Mess^rs Read and Sons to dismiss the case for want of jurisdiction and was argued by Counsel. On consideration whereof, it is now the order and judgment of this Court that this cause be and the same is hereby dismissed for the want of jurisdiction. —

p^r Mr Ch. Jus. Taney. —

21 Robert Boulgimal &c^ts
vs
Wyndham Kemp & Trustees
and
Edwin W. Boulgimal &c^ts
22 vs
Wyndham Kemp, Trustee

The arguments of these causes was continued by Patton of Counsel for the appellees and concluded by Mr Read, Johnson of Counsel for the appellants. —

	The Commercial Bank of New Orleans. Appt vs Alexander Compton et al	The argument of this Cause was commenced by Mr Wade of Counsel for the Appellant.

Proclamation being made the Court is adjourned until to Morrow morning at eleven o'clock..

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable	Roger B. Taney	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justice
	Samuel Nelson	
	Robert C. Grier	
	John A. Campbell	

Jonah D. Hoover Esquire, Marshal
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Attorney General Black - it is ordered by the Court that Thomas Fitzpatrick Esquire of Nebraska Territory be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

Mary L. Benham - Pltf
224 vs
William B. Jameson, admr of Felix Bonce, decd & John D. Coalter et al

Appeal from the Circuit Court of the United States for the District of Missouri.

Mr Blair of Counsel for the appellees having filed and read in Open Court the following certificate, to wit;

"United States of America
District of Missouri Set.

I, Benjamin F. Hickman, Clerk of the Circuit Court of the United States for the District of Missouri do certify that the following is a copy of the decree rendered by said Court on the 26th day of November in the year 1856 in a suit in Chancery in the name of Mary L. Benham against William B. Jameson, administrator of Felix Bonce decd and John D. Coalter, William Mc Clay, George Farber, Andrew Klinghamer, Stephen H. Wattenbrake, Henry Lensding, John H. Meyer, Henry Deckamp and Lorenzo Coalter viz;

Mary L Benham	Complainant
ags	Chancery.
Loomis admr Boalt & others	Defendants

This day came again the parties by their Solicitors and this cause having been fully heard at present term of this Court and argued by Counsel and thereupon on Consideration thereof — It is now finally ordered, adjudged and decreed that the bill of the complainant be and the same is hereby dismissed — And it is further ordered adjudged and decreed that the Complainant pay to the defendants the Costs by them herein expended —

And I further certify that the following is a Copy of the order made on the 27th day of November 1856 by said Court allowing the complainant in said cause an Appeal to the Supreme Court of the United States. —

Mary L Benham —	Complainant
vs	In Chancery.
Loomis admr Boalt & al	Defendants

This day comes the

Complainant by his Solicitor and prays the Court to grant her an appeal to the Supreme Court of the United States in this cause which is granted and the said Complainant by her Solicitor offers herein an appeal bond with L. K. Robinson as principal and S. T. Glover as security in the sum of Five hundred dollars which bond is approved by the Court and filed with the papers in this cause and the Solicitors for Complainant and defendants file herein an agreement as to papers used in the hearing of this Cause and to be copied into the transcript of the record for the Supreme Court of the United States. And I as Clerk as aforesaid further certify that no transcript of the record and proceedings in said Cause has been made out by me, nor has any such transcript been ordered by said Complainant or her Solicitor or by any other person for her so far as I know or have heard.

(Seal) In Testimony whereof, I hereto subscribe my name and affix the seal of said Court at Office in the City of St Louis this 18th day of

December 1857.

Ben ℔ Wickman, Clerk."
and having stated that the appellant
had altogether failed to file the record
of said cause in this Court or in any way
to prosecute said appeal - there has moved
the Court in pursuance of the 6th rule of
this Court to have this appeal docketed and
dismissed - On consideration whereof it is
now here ordered and decreed by this Court
that this appeal from the decision of the
Circuit Court of the United States for the
District of Missouri be & the same is hereby
remanded to the said Circuit Court for
further proceedings to be had therein in con-
formity to law and justice the said appeal
notwithstanding.

℔ Mr Ch Jus: Taney

	Edwin M. Chaffee, Trustee.	On consideration
51.	vs	of the motion
	Plffs in Er	of Mr Pitman
	Nathaniel Haywards	of Counsel for

the defendant in error to dismiss this writ
of error and of the arguments of Counsel

thereupon had as well against as in support of said motion - It is now here ordered by the Court that the said motion be and the same is hereby overruled.

pr Mr Ch; Jus Taney. -

52 Horace H. Hay - plff in Er
vs
Nathaniel Haywards

On Consideration of the motion of Mr Pillman of Counsel for the defendant in error to dismiss this writ of error and of the arguments of Counsel thereupon had as well against as in support of said motion - It is now here ordered by the Court that the said motion be and the same is hereby overruled. -

pr Mr Ch; Jus; Taney. -

106. Horace L. Silsby val
vs Appe
Elisha Foote

The motion filed by Mr Willet of Counsel for the appellee to dismiss this appeal on the ground that the same matters are appealed from in a prior case (No 54) now pending on the docket of this Court, was

argued by Mr Gillet in support thereof and by Mr Blatchford in opposition thereto - Whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises doth time to consider. -

131 The United States - Appt
vs
Charles M. Weber -

On motion of Mr Blair of Counsel for the appellee, and with the assent of Mr Gillet of Counsel for the appellants - It is now here ordered by the Court that the Clerk have leave to issue a writ of procedendo in this cause during the term and return as the same can be prepared. -

The United States - Appt
vs
Juana Sanchez de Pacheco

Mr Guillemden of Counsel for the appellee moved the Court to dismiss this appeal on the ground that the same had not been prayed and allowed within the time prescribed by law - and which was opposed by Mr Attorney General

Thursday December 31st 1857 Continued

Black in behalf of the appellants — Whereupon this Court not being now fully sufficiently advised of and concerning the same took time to consider. (vide. Post 11 Lany & No 238. 11 Lany)

The Commercial Bank of New Orleans vs 23 Alexander Compton et al	The argument of this cause was continued by Mr Hale of Counsel for the appellant.

Proclamation being made the Court is adjourned until Monday next at eleven O'Clock. —

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable	Roger B. Taney	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Robert C. Grier	
	John A. Campbell	

Jonah D. Hoover Esquire Marshal
William Thomas Carroll Clerk

Proclamation being made the Court is opened

23 The Commercial Bank of New Orleans Appts vs Alexander Hempstead

The argument of this cause was continued by Messrs Ballinger and Trapier of Counsel for the Appellees

Proclamation being made the Court is adjourned until to morrow morning at eleven O'clock.

Tuesday January 5th 1858

Pursuant to adjournment the Court met this morning at the Capitol.

Present,

The Honorable	Roger B. Taney,	Chief Judge
	John McLean	
	James M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Robert C. Grier	
	John A. Campbell	

Jonah D. Hoover Esquire, Marshal
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened.

	The Commercial Bank of New Orleans Appt	The argument of this cause was concluded by Mr Conway Robinson of Counsel for the
23	vs	
	Alexander Compton et al	
	appellant...	

24 | Isaac Brown Appl
vs
Joseph C. Shannon et al

This cause was argued by Mr Schley of Counsel for the appellant and submitted on printed arguments by Mr Latrobe & Guion of Counsel for the appellees.

Proclamation being made the Court is adjourned until to Morrow Morning at eleven o'clock

Wednesday January 6th 1858

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable	Roger B. Taney	Chief Justice
	John Mc Lean	
	James M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Robert C. Grier &	
	John A. Campbell	

Jonah D. Hoover Esquire Marshal
William Thomas Carroll Clerk.

Proclamation being made. The Court is opened.

95	The United States - Appl vs Henry Cambuston	The argument of this cause was commenced by Mr Attorney General Black of Counsel for the appellants and continued by Mr J. M. Campbell of Counsel for the appellee.

Proclamation being made the Court is adjourned until to morrow morning at eleven o'clock

Pursuant to adjournment the Court met this morning at the Capitol -

Present

The Honorable	Roger B. Taney,	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Robert C. Grier	
	John A. Campbell	

Jonah D. Hoover Esquire Marshal.
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Badger - it is ordered, that R. R. Heath Esquire of North Carolina be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly. -

25.	The United States - Appts vs Henry Hambleton	The argument of this cause was continued by Mr Campbell for the appellee and concluded by Mr Attorney General Black for the appellants.

27	Frank Haynes - plff in Er vs Jonah D. Hoover	The argument of this cause was commenced by Mr C. L. Jones of Counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until to morrow morning at eleven O'clock.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable	Roger B. Taney,	Chief Justice
	John Mc Lean	
	James M. Wayne	
	John Catron	Associate
	Peter V Daniel	Justices
	Samuel Nelson	
	Robert C. Grier	
	John A. Campbell	

Jonah D. Hoover Esquire, Marshal
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Gillet it is ordered that Henry M. Slade Esquire of Minnesota Territory and Walter S. Carter Esquire of Connecticut be admitted to practice as Attorneys and Counsellors of this Court and they were severally sworn accordingly.—

141	The United States Appt vs José Joaquim Estudillo	The motion yielded by Mr Brillenden of Counsel for the appellee to dismiss this appeal was argued by him in support thereof and by Mr Gillet in opposition thereto. Whereupon this Court not being now sufficiently advised of and concerning what order to render in the premises took time to consider.
27	Frank Dynes plff in Er vs Jonah D. Hoover	The argument of this cause was continued by Mr Gillet of Counsel for the defendant in error and concluded by Mr O.L. Jones for the plaintiff in error.

Proclamation being made the Court is adjourned until Monday morning at eleven O'clock.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable	Roger B. Taney,	Chief Justice
	John Mc Lean	
	James M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Robert C. Grier	
	John A. Campbell	

Jonah D. Hoover Esquire, Marshal
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Crittenden. it is ordered, that Thomas H. Hall Esquire, of Kentucky, be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

19.	Amos Wade plff vs Jacob R. Leroy & Henry C. Pierrepoint	On a certificate of division in opinion between the Judges of the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York and on the point or question on which the Judges of the said Circuit Court were opposed in opinion and which was certified to this Court for its opinion agreeably to the act of Congress in such case made and provided and was argued by Counsel – On consideration whereof, it is the opinion of this Court that the evidence offered by the plaintiff is competent – Whereupon it is now here ordered and adjudged by this Court that it be so certified to the said Circuit Court.

per Mr Jus; Campbell –

16 John Bacon, Alexander Symington & Thomas Robins vs Appeals Volney E. Howard

Appeal from the District Court of the United States for the District of Texas.

This cause came on to be heard on the transcripts of the record from the District Court of the United States for the District of Texas and was argued by Counsel - On Consideration whereof it is now here ordered, adjudged and decreed by this Court that the decree of the said District Court in this cause be & the same is hereby affirmed with costs.

per Mr Justice Grier

15 James R. Jones, Charles L. Jones, William T. Carman, Robt Lott, John Sappington Mathew T. Sappington & John H. Tally, vs Appellees Catherine McKinney by her next friend Manuel Barba

Appeal from the District Court of the United States for the District of Texas.

This cause came on to be heard on the transcript of the record from the District Court of the United States

for the District of Texas and was argued by Counsel — On consideration whereof it is now here ordered and adjudged by this Court that the said several judgments of the said District Court in this cause be and the same are hereby affirmed with costs. —

per Mr Chs: Nelson. —

Horace L. Tibby, Washburn Race, Abel Downs, Henry Fenimore & Edward Mynderse. —

vs Appts.

Elisha Foote. —

106

Appeal from the Circuit Court of the United States for the Northern District of New York. —

This cause came on to be heard on the Transcript of the records from the Circuit Court of the United States for the Northern District of New York, and on the motion of Mr Gillet to dismiss the cause, and was argued by Counsel On Consideration whereof it is now here ordered and decreed by this Court that this cause be and the same is hereby dismissed with costs. —

per Mr Chs: Nelson

18 David Dunham Withus
vs
Ransom Buckley, Dan'l Wilson, Newton Ruff, Hugh R. Davis, Douglass H. Harper, Charles K. Vaughn & James Metcalf.

Error to the High Court of errors and appeals of the State of Mississippi.

This cause came on to be heard on the transcript of the record from the High Court of Errors and Appeals of the State of Mississippi and was argued by Counsel. On Consideration whereof, it is now here ordered adjudged and decreed by this Court that the decree of the said High Court of Errors and Appeals in this cause be and the same is hereby affirmed with costs.

Ps Mr Jus. Daniel

The United States Appe
vs
Juana Sanchez de Pacheco

On consideration of the motion of Counsel for the Appellee, made on a prior day of this term, to wit; on Thursday the 31st ultimo, to dismiss this appeal on the grounds that the same had not been prayed and allowed within the time prescribed

be law, and of the arguments of Counsel thereupon had as well against as in support of said motion. It is now here ordered by the Court that the said motion be and the same is hereby overruled. (Vide ante 31st Dec 1857 No 228 this date.)

Ps Mr Ch: Jus: Taney --

228 The United States Appe vs Juana Sanchez de Pacheco

Appeal from the District Court of the United States for the Northern District of California.

Mr Crittenden of Counsel for the appellee having filed a transcript of the record of this cause duly certified by the Clerk under the seal of the District Court of the United States for the Northern District of California, and having stated that the appellants had altogether failed to file the record of said cause in this Court or in any way to prosecute the appeal in this case, now here moved the Court in pursuance of the 6th rule of this Court to have this appeal docketed and dismissed - On consideration whereof

it is now here ordered and adjudged by this Court that this Appeal from the District Court of the United States for the Northern District of California be and the same is hereby remanded to the said District Court for further proceedings to be had therein in conformity to law and justice the said appeal notwithstanding. —

per Mr Ch. Jus; Taney. —

339. The United States vs Appt. Samuel O. Hemly	Appeal from the District Court of the United States for the Northern District of California. —

Mr Blair of Counsel for the appellee having filed a transcript of the record of this cause, duly certified by the Clerk under the seal of the District Court of the United States for the Northern District of California, and having stated that the appellants had altogether failed to file the record of said case in this Court or in any way to prosecute the appeal in this case, now here moved the Court in pursuance of the 6th rule of this Court to have this appeal docketed

and dismissed — On consideration whereof it is now here ordered and decreed by this Court that this appeal from the District Court of the United States for the Northern District of California be and the same is hereby dismissed and that this cause be and the same is hereby remanded to the said District Court for further proceedings to be had therein in conformity to law and justice the said appeal notwithstanding.

Per Mr Ch. Jus. Taney

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230 The United States vs Appt John Biddle

Appeal from the District Court of the United States for the Northern District of California. —

Mr Blair of Counsel for the appellee having filed a transcript of the record of this cause duly certified by the Clerk under the seal of the District Court of the United States for the Northern District of California and having stated that the appellants had altogether failed to file the record of said cause in this Court or in any way to

prosecute the appeal in this case, now here moved the Court in pursuance of the 6th. rule of this Court to have this appeal docketed and dismissed.— On consideration whereof, it is now here ordered and decreed by this Court that this appeal from the District Court of the United States for the Northern District of California be and the same is hereby docketed and dismissed, and that this cause be and the same is hereby remanded to the said District Court for further proceedings to be had therein in conformity to law and justice the said appeal notwithstanding.

Per Mr. Ch. Jus. Taney.—

231 The United States — Appls.
vs
Antonio Suñol, Juan Bunal
& Agustin Bunal —

Appeal from the District Court of the United States for the Northern District of California.

Mr Blair of Counsel for the appellees having filed a transcript of the records of this cause duly certified by the Clerk under the seal of the District Court

of the United States for the Northern District of California, and having stated that the appellants had altogether failed to file the record of said cause in this Court or in any way to prosecute the appeal in this case, now here moved the Court in pursuance of the 63rd rule of this Court to have this appeal docketed and dismissed - On consideration whereof, it is now here ordered and decreed by this Court that this appeal from the District Court of the United States for the Northern District of California be and the same is hereby docketed and dismissed, and that this cause be and the same is hereby remanded to the said District Court for further proceedings to be had therein in conformity to law and justice the said appeal notwithstanding.

Ord Mr Ch. Jus: Taney.

30 David A. Seacomb et al pltffs in Er
vs
Franklin Steele

The argument of this cause was commenced by Mr Carlile of Counsel for the plaintiff in error and

continued by Mr Gillet of counsel for the defendant in error.

Proclamation being made the Court is adjourned until to morrow morning at eleven Oclock.

Tuesday January 12th 1858.

Pursuant to adjournment the Court met this morning at the Capitol —

Present

The Honorable	Roger B. Taney,	Chief Justice.
	John McLean	
	James M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Robert C. Grier &	
	John A. Campbell	

Jonah D. Hoover Esquire, Marshal
William Thomas Carroll, Clerk. —

Proclamation being made the Court is opened.

30 David A. Decombe et al pltffs in Er.
vs
Franklin Steele

The argument of this cause was continued by Messrs Gillet and Lusking of Counsel for the defendant in error and by Mr Badger of Counsel for the pltffs in error.

Proclamation being made the Court is adjourned until to morrow morning at eleven Oclock.

Wednesday January 13th 1858.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable	Roger B. Taney,	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Robert C. Grier	
	John A. Campbell	

Jonah D. Hoover Esquire, Marshal
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened

David A. Secombe vol. pltff in er. vs Franklin Steele

The argument of this cause was concluded by Mr Badger for the plaintiff in error

33	The Commercial Bank of Manchester — Appt vs Henry S. Buckner —	The argument of this Cause was commenced by Mr. Day of Counsel for the appellant...

Proclamation being made the Court is adjourned until to morrow morning at Eleven o'clock.—

Thursday January 14th 1858.

Pursuant to adjournment the Court met this morning at the Capitol –

Present

The Honorable	Roger B. Taney	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Robert C. Grier	
	John A. Campbell	

Conah D. Hoover Esquire, Marshal
William Thomas Carroll Clerk,

Proclamation being made the Court is opened

2. Benjamin F. Morgan vs Alfred G. Burbanks et al

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr Washburne of counsel for the plaintiff in error and by Mr Ballance of counsel for the defendants in error. –

141 The United States Appts vs Jose Joaquim Estudillo

On consideration of the motion of Mr Crittenden to dismiss this cause, and of the arguments of Counsel thereupon had as well against as in support of the motion - it is now here ordered by the Court that said motion be and the same is hereby overruled.

33 The Commercial Bank of Manchester - Appts vs Henry S. Buckner

The argument of this cause was continued by Mr Benjamin & Bayard of Counsel for the appellees.

Proclamation being made the Court is adjourned until to morrow morning at eleven o'clock.

Friday January 15th 1858

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable	Roger B. Taney,	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Robert C. Grier	
	John A. Campbell.	

Jonah D. Hoover Esquire, Marshal
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Gillet it is ordered that M.C. Crofoot Esquire of Michigan be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr Hughes - it is ordered that James L. Gray Esquire of Texas be

admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

Reuben Middleton vs pltff in Er William McGrew	On the motion of Mr Hughes of Counsel for the plaintiff in error and with the assent of Mr Gray of Counsel for the defendant in error – it is now here ordered by the Court that this cause be and the same is hereby continued to the next term. –
133.	
Elisha Foote Appt vs Horace L. Silsby et al	The motion filed by Mr Blatchford of Counsel for the appellee to dismiss this appeal was argued by him in support thereof and by Mr Gillet in opposition thereto – Whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.
158	

33.	The Commercial Bank of Manchester - Appt vs Henry L. Buckner	The argument of this cause was continued by Mr Bayard of Counsel for the appellee and concluded by Mr Key of Counsel for the appellant.
35	James B. Teller use pltff in E vs Jonathan T. Patten use	This cause was argued by Mr R. H. Smith of Counsel for the defendants in error & submitted on a printed argument by Mr Crawford of Counsel for the plaintiffs in error. —
36	S. M. Mallingly wife vs Appellee David H. Boyds admr	This cause was argued by Mr G Robinson of Counsel for the appellants.

Proclamation being made the Court is adjourned until Monday next at eleven o'clock.

Monday January 18th 1858.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable	John McLean	
	James M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Robert C. Grier	
	John A. Campbell	

Jonah D. Hoover Esquire, Marshal
William Thomas Carroll, Clerk. —

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr Bibb - it is ordered that Robert G. Thrift Esquire of the District of Columbia be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

37. Ann L. Smith, use of Caleb Cushing - pltff in Er
vs
The Corporation of Washington

The argument of this cause was commenced by Mr Gillet of Counsel for the plaintiff in error and continued by Mr Carlisle for the plaintiff in Er or. —

Proclamation being made the Court is adjourned until to morrow morning at eleven O Clock. —

Tuesday January 19th 1838.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable	John McLean	
	James M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Robert C. Grier	
	John A. Campbell	

Jonah D. Hoover Esquire, Marshal
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened.—

On motion first made to the Court in this behalf by Mr Cushing — it is now here ordered by the Court that John Prentiss Poe Esquire of Maryland be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.—

37	Ann C. Smith use &c pltffs in error vs The Corporation of Washington	The argument of this cause was concluded by Mr Cushing for the plaintiff in error.

39	John H. Lyons - pltff in error vs John Burham def in error	The arguments of this cause was Commenced by Mr Poe of Counsel for the plaintiff in error, and continued by Mr Fessenden of Counsel for the defendant in error. —

Proclamation being made the Court is adjourned until to morrow morning at eleven o'clock. —

Wednesday January 20th 1858

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable	John McLean	
	James M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Robert C. Grier	
	John A. Campbell	

Jonah D. Hoover Esquire, Marshal,
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Gillet - it is ordered that George Shipley Esquire of Washington City be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

John H. Lyons - plff in Er vs 39. John Bertram et al	The argument of this Cause was Continued by

Mr Fessenden for the defendants in error and concluded by Mr Brent of Counsel for the plaintiff in error.

William S. Hungerford Appt vs John Sigerson —	The argument of this cause was commenced by Mr Bradley of

Counsel for the appellant and continued by Messrs Gilmor & Cushing of Counsel for the appellee. —

Proclamation being made the Court is adjourned until to morrow morning at eleven o'clock.

Thursday January 21st 1858.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable	Roger B. Taney,	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Robert C. Grier	
	John A. Campbell,	
	Nathan Clifford	

Jonah D. Hoover Esquire, Marshal
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened.

The Honorable Nathan Clifford, produced Letters patent from the President of the United States dated the twelfth day of January in the year of our Lord one thousand eight hundred & fifty eight, and of the Independence of the United States the eighty second appointing him an Associate Justice

of the Supreme Court of the United States in the following words, to wit;

"James Buchanan
President of the United States of America.

"To all who shall see these presents, Greeting:

"Know Ye, that reposing special trust and confidence in the wisdom, uprightness and learning of Nathan Clifford of Maine, I have nominated and by the advice and consent of the Senate, do appoint him to be one of the Associate Justices of the Supreme Court of the United States, and do authorize and empower him to execute and fulfil the duties of that Office according to the Constitution and laws of the said United States, and to have and to hold the said Office, with all the powers privileges and emoluments to the same of right appertaining unto him the said Nathan Clifford during his good behavior.

In Testimony whereof, I have caused the Letters to be made patent and the Seal of the United States to be hereunto affixed. Given

Seal

under my hand, at the City of Washington, the twelfth day of January in the year of our Lord One thousand eight hundred and fifty eight, and of the Independence of the United States of America the Eighty second.

James Buchanan

By the President:

Lewis Cass Secretary of State"

which were read in open Court when Mr. Chief Justice Taney administered the following oath viz:

"I Nathan Clifford do solemnly swear that I will administer justice without respect to persons and do equal right to the poor and the rich, and that I will faithfully and impartially discharge and perform all the duties incumbent on me as associate Justice of the Supreme Court of the United States, according to the best of my abilities and understanding agreeably to the Constitution and Laws of the United States. So help me God.

"I do also solemnly swear that I will support the Constitution of the United States.

So help me God.

Nathan Clifford

Subscribed and sworn to
in open Court this twenty first
day of January A.D. 1858.

Wm. Thos Carroll
Clk. S. C. U.S.

Whereupon Mr Justice Clifford took his seat accordingly.—

On motion first made to the Court in this behalf by Mr Cushing. it is ordered that Truston Polk Esquire of Missouri and George Barstow Esquire of Minnesota be admitted to practice as Attorneys & Counsellors of this Court and they were sworn accordingly.—

On motion first made to the Court in this behalf by Mr Pugh - it is ordered that James Murray Esquire of Ohio be admitted to practice as an Attorney and counsellor of this Court and he was sworn accordingly.—

Thursday January 21st 1858. Continued

138

Elisha Foote Appt:
vs
Horace E. Silby, Wash burn Race, Edward Myndese, Abel Downs & Henry Henion.

Appeal from the Circuit Court of the United States for the Northern District of New York.—

This cause came on to be heard on the motion of Mr Blatchford to dismiss this appeal because no records had been filed by the appellant, and was argued by counsel.— On consideration whereof, it is now here ordered and decreed by this Court that this cause be and the same is hereby dismissed with costs.

Per Mr Ch: Jus: Taney—

The Chief Justice announced to the Bar (in pursuance of the 47th rule) that the Court would adjourn on the first day of March, and meet again on the first Monday in April next.

43	The Covington Draw Bridge Company - plff in Er vs Alexander O. Sheppard et al	This cause was argued by Mr Smith of Counsel for the plaintiffs in error.

44	The Covington Draw Bridge Company - Appt vs Alexander O. Sheppard et al	On the motion of Mr Smith of Counsel for the appellants - It is now ordered by the Court that this cause be and the same is hereby postponed to the last of the docket.

40	William S. Hungerford Appt vs John Sigerson	The argument of this cause was continued by the pushing for the appellee and concluded by Mr Bradley for the appellant.

45	Eugene Leiendecker et al vs plffs in Er James D. Webb	The argument of this cause was commenced by

Mr Rushing of Counsel for the plaintiffs in error.

41	The United States plffs in Er vs Gottlieb Building	this cause was submitted to the Court on the record and printed arguments by Mr Attorney General Black of Counsel for the plaintiffs in error and by Mr Percy Walker of Counsel for the defendant in error.-

Proclamation being made the Court is adjourned until to morrow morning at eleven o'clock.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.)

The Honorable	Roger B. Taney,	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices.
	Samuel Nelson	
	Robert C. Grier	
	John A. Campbell	
	Nathan Clifford	

Jonah D. Hoover Esquire, Marshal
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Wilson - it is ordered that William McClintock Esquire of Iowa be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

3.	The Commonwealth of Massachusetts. Compt. vs The State of Rhode Island &c.	On the motion of Mr Clifford of Counsel for the Complainant, and on the stipulation of the Counsel for the respective parties herein, it is now here ordered by the Court that this cause be and the same is hereby continued to the next term of this Court. –
65.	John McGavock – pltff in Er vs Peter W. Wordlief	The motion filed by Mr Taylor, of Counsel for the defendant in error, to dismiss this cause was argued by him in support thereof and by Mr Benjamin of Counsel for the plaintiff in error, in opposition thereto – Whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider. –

187.	The United States - Appts vs Charles Fossat -	On the motion of Mr Billinden in behalf of Mr Reverdy Johnson of Counsel for the appellants and with the assent of Mr Badger of Counsel for the appellee - it is now ordered by the Court that this cause be and the same is hereby set down for argument on the second Monday of April next.
45.	Eugene Leitensdorfer et al vs plffs in Er James D Webb	The argument of this cause was continued by Mr Polk of Counsel for the defendant in error and concluded by Mr Gillet of Counsel for the plaintiffs in error. -
55	Eliphas Spencer. plff in Er vs John W. Lapsley.	On the motion of Mr Hughes of Counsel for the defendant in error, and on the stipulation of the Counsel for the respective parties herein - it is now

here ordered by the Court that leave be and the same is hereby granted them to file an additional records in this cause, and that the same be printed as a part of the records filed by the plaintiff in mor-

Proclamation being made the Court is adjourned until Monday morning at eleven O'clock.

Monday January 25th 1858.

Pursuant to adjournment the Court met this morning at the Capitol.

Present,

The Honorable	Roger B. Taney,	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Robert C. Grier	
	John A. Campbell	
	Nathan Clifford	

Jonah D. Hoover Esquire, Marshal
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Goodrich, it is ordered that F. B. Cutler, Esquire of Warsaw be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in

this behalf by Mr Attorney General Black, it is ordered that Marshall B. Champlain Esquire of New York be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr Bartlett, it is ordered that Charles S. Bradley Esquire, of Rhode Island be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly. -

9 Benjamin F. Morgan - plff in Error
vs
Alfred G. Burleigh & John L. Griswold. -

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Illinois and was argued by Counsel - On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of

the said Circuit Court in this cause be and the same is hereby affirmed with costs.

per Mr Justice Grier.

25 | The United States Appt
vs
Henry Cambuston | Appeal from the District Court of the United States for the Northern District of California.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of California and was argued by Counsel. On consideration whereof, it is now here ordered adjudged and decreed by this Court that the decree of the said District Court in this cause be and the same is hereby reversed, and that this cause be, and the same is hereby remanded to the said District Court for further proceedings to be had therein in conformity to the opinion of this Court and as to law and justice shall appertain.

per Mr Justice Nelson

17. J. Temple Boswell vs pltff in Er Enrique de la Lanza, Frederick Belden &c

In error to the District Court of the United States for the District of Texas. -

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Texas and was argued by Counsel - On Consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be and the same is hereby reversed with costs, and that this cause be and the same is hereby remanded to the said District Court for further proceedings to be had therein in conformity to the opinion of this Court and as to law and justice shall appertain -

Opr Mr Chs. McLean

35 James B. Fellen & Thomas M. Swinney - pltff in Er vs Jonathan T. Patten & John L. Lane. -

In error to the Circuit Court of the United States for the District of Indiana.

This cause came on to be heard on the transcript of the records from the Circuit Court of the United States for the District of Indiana and was argued by counsel.
On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the courts of the State of Indiana.
per Mr Justice McLean.

The Commercial Bank of New Orleans. Appts vs Alexander Bomford surviving &c.	Appeal from the District Court of the United States for the District of Texas.

23.

This cause came on to be heard on the transcript of the records from the District Court of the United States for the District of Texas and was argued by counsel.
On consideration whereof, it is now here ordered, adjudged and decreed by this

Court that the decree of the said District Court in this cause be and the same is hereby affirmed with cost. -

By a divided Court.

24	Isaac Brown - Appt vs Joseph P. Shannon et al	Appeal from the Circuit Court of the United States for the District of Maryland - This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Maryland and was argued by Counsel - On Consideration whereof, it is now here ordered adjudged and decreed by this Court that this cause be and the same is hereby dismissed for the want of jurisdiction in this Court.

Pr Mr Ch Jus. Taney.

65.	John Mc Gavock - pltff in Er vs Peter W. Woodlief.	On Consideration of the motion made in this cause on a prior day of this term to wit: on Friday the 22d.

instant, and of the arguments of Counsel thereupon had as well against as in support thereof - It is now here ordered by the Court that said motion be and the same is hereby overruled. -

187 The United States - Appt
vs
Charles Forsat

On the motion of Mr Attorney General Black of Counsel for the appellant, it is now here ordered by the Court that the order made on the 22nd instant, setting this cause down for argument on the 3rd Monday of April next, be and the same is hereby rescinded, and that this cause be and the same is hereby set down for argument on Monday the 15th day of February next.

113 The Covington Draw Bridge Company - pltffs in Er
vs
Alexander O. Shepperdson

On the motion of Mr Thompson of Counsel for the defendants in error, it is now here ordered by the Court that leave

be and the same is hereby granted him to file a printed argument in this cause.

42 Samuel A. White &al vs Pltffs in Er & Albert T. Burnley

The argument of this cause was commenced by Mr Bibb, and continued by Mr Hughes of Counsel for the defendant in error, and submitted on a printed argument by Mr Reagan of Counsel for the plaintiffs in error.

Proclamation being made the Court is adjourned until to morrow morning at eleven Oclock.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable	Roger B. Taney,	Chief Justice.
	John McLean	
	James M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Robert C. Grier	
	John A. Campbell	
	Nathan Clifford	

Jonah D. Hoover Esquire Marshal
William Thomas Carroll, Clerk

Proclamation being made the Court is opened.

On motion just made to the Court in this behalf by Mr Chilton - it is ordered that Joseph C. Stevens Esquire, of the District of Columbia be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

113	The Covington Draw Bridge Company — plffs in Er vs Alexander A. Shepherd def	This cause was submitted to the Court on a printed argument by Mr Thompson of Counsel for the defendants in error. —
112	Samuel T. White def vs plff in Er Albert J. Burnley	The argument of this cause was concluded by Mr Hughes for the defendant in error.
116	James Kelsey def vs plff in Er Robt Forsyth	This cause having been called for argument, and no counsel appearing ready to argue the same, it is now ordered by the Court that this cause be and the same is hereby postponed to the foot of the docket.
118	William B. Grant def vs plff Cornelius Peiton def	This cause was argued by Mr Goodrich of Counsel

for the appellants and submitted on a printed argument by Mr Henshaw of Counsel for the appellees.

Jacob U. Parker et al
vs
Jonathan S. Styles et al

The argument of the cause was commenced by Mr Whiton of Counsel for the plaintiffs in error and continued by Mr Benjamin of Counsel for the defendants in error.-

Proclamation being made the Court is adjourned until to morrow morning at Eleven o'clock.

Wednesday January 27 1853.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

the Honorable	Roger B. Taney	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Robert C. Grier	
	John A. Campbell	
	Nathan Clifford	

Josiah L. Hoover Esquire Marshal
William Thomas Carroll, Clerk

Proclamation being made the Court is open

On motion first made to the Court in this behalf by Mr Blair it is ordered that John F. Lewis Esquire of New York be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.-

49.	Court & Dann vs Wilkins & Jonathan S. Ayles vs	The argument of this cause was concluded by Mr Whitman for plaintiffs in error.

50.	Paul Spofford & Thomas Tilston, Claimants of the Steamship "James Adger" her tackle &c — Appts vs William L. Todd, Thomas W. Todd, William Nelson, Isaac Lawrence, Thomas Tileston & G. B. Lawrence. Libts	Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New-York, and on the stipulation of the Counsel for the respective parties therein, that the matters in controversy had been agreed and settled between the parties, and that this case be dismissed whereupon it is now here ordered, and decreed by this Court that this cause be and

The Cause is hereby dismissed with costs.
Cfs Mr Ch. Jus; Taney

	Edwin M Stanton Justice vs 51. Pltffs in Er Nathaniel Hayward and Horace H. Day - Pltffs in Er 52 vs Nathaniel Hayward	These Causes were argued by Messrs Pitman & Bradley of Counsel for the defendant in error, and submitted on a printed argument by Mr Stanton of Counsel for the plaintiffs in error.
	Horace C. Hiser et al 54 vs Appts Elisha Foote	The argument of this cause was commenced by Mr Blatchford of Counsel for the Appellants

Proclamation being made the Court is adjourned until to morrow morning at eleven o'clock

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable

John McLean
James M. Wayne
John Catron
Peter V. Daniel
Samuel Nelson
Robert C. Grier
John A. Campbell
Nathan Clifford

Associate Justices

Jonah D. Hoover Esquire, Marshal
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court on this behalf by Mr Keller - it is ordered that William H. Browne Esquire of New York be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly. -

	David A. Accombe, Sumner W. Farnham, Charles F. Tinson, Wm Rollins, Eli B. Sons, Benjamin Parker, Orville W. Naughton, E.T. King, Moses W. Pitchet. J.B. Welton, Samuel Estes & Wm Gray.	Error to the Supreme Court of the Territory of Minnesota.
30.	Vs pltffs in Er	
	Franklin Steele. —	

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Minnesota and was argued by Counsel — On consideration whereof, it is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be and the same is hereby affirmed with Costs.

Per Mr Justice Campbell

	Horace B. Silver, et al	The argument of this cause was continued by Mr Forte the
54	Vs pltf in Er	
	Elisha Foote.	

appellee, made by Mr Miller of —

Counsel for the appellants.

Proclamation being made the Court is adjourned until to morrow morning at eleven O'Clock.

Friday January 29th 1855.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Chief Justice

John McLean
James M. Wayne
John Catron
Peter V. Daniel
Samuel Nelson
Robert C. Grier
John A. Campbell
Nathan Clifford

Associate Justices

Jonah D. Hoover Esquire Marshal.
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened.

54 Horatio C. Wisby et al vs Elisha Foote

The argument of this cause was concluded by Mr Keller for the appellants.

55. Elisha Farmer - plff in Er
vs
John W. Lapsley -

The argument of this cause was commenced by Mr Benjamin & Conrad for the plaintiff in error and continued by Mr Hughes & Conrad for the defendant in error. -

Proclamation being made the Court is adjourned until Monday morning at eleven o'clock.

Monday February 1st 1836

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable	Roger B. Taney,	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Robert C. Grier	
	John A. Campbell	
	Nathan Clifford	

Jonah D. Hoover Esquire, Marshal -
William Thomas Carroll, Clerk -

Proclamation being made the Court is opened.

On motion just made to the Court in this behalf by Hon Wm H. Nelson - it is now here ordered by the Court that John Van Ness Yates Esquire of New York be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly. -

On motion leave given to the Court on the behalf by Hon Gideon Sherman - it is ordered that Franklin Stringer and Lyon Esquires of Ohio be admitted to practice as Attorneys and Counsellors of this Court and they were severally sworn accordingly.

On motion first made to the Court in this behalf by Mr Field - it is ordered that Elisha Foote Esquire of New York be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly. -

36. J. M. Mullanphy & Sarah Ann his wife vs Appt
John K. Boyd admr &
David K. Boyd dec

Appeal from the Circuit Court of the United States for the District of Tennessee.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Tennessee and was argued by Counsel - On consideration

thereof, it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby reversed with costs, and that this cause be and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity to the opinion of this Court, and to law and justice shall appertain.--

" "

Ord Mr Chief Justice Taney.

97	Frank Lynes - plff in Er vs Jonah D. Hoover	In error to the Circuit Court of the United States for the District of Columbia, holden in and for the County of Washington.

This cause came on to be heard on the transcript of the records from the Circuit Court of the United States for the District of Columbia holden in and for the County of Washington, and was argued by Counsel. On Consideration Whereof, it is now here ordered and adjudged

by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs.
Mr Justice McLean dissenting. Opr Mr Justice Wayne

60	The Lafayette Insurance Company - Plffs in Er vs Camillus Kidder -	In error to the Circuit Court of the United States for the District of Indiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Indiana, and on the motion of Mr Gillet of Counsel for the plaintiffs in error, stating that the matters in controversy had been agreed and settled between the parties - It is now here ordered and adjudged by this Court that this cause be and the same is hereby dismissed with costs.

Opr Mr Justice McLean

130	Philo Chamberlain & John B Crawford, Claimants of the Propeller Ogdensburgh vs Ebenezer B. Ward & Stephen Clement survivors of Samuel Ward, dec'd	Appeal from the Circuit Court of the United States for the Southern District of Ohio.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Ohio, and on the motion of Mr Ewing in behalf of Messrs Stanbery and Spalding of Counsel for the appellants to dismiss this appeal because the said transcript was not filed in this Court during the term next succeeding the allowance of said appeal - Whereupon it is now here ordered and decreed by this Court that this cause be and the same is hereby dismissed with costs. -

Per Mr. Chief Justice McLean -

127	Eben B. Ward & Stephen Clement, survivors of Edward Wards. dec'd Appts vs Phile Chamberlain & Ethan H. Crawford, Claimants of the Propeller Ogdensburgh	Appeal from the Circuit Court of the United States for the Southern District of Ohio.

This cause came on to be heard on the transcript of the records from the Circuit Court of the United States for the Southern District of Ohio, and on the motion of Mr Ewing in behalf of Mr Keogh of Counsel for the appellants, to dismiss this appeal because the said transcript was not filed in this Court during the term next succeeding the allowance of said appeal - Whereupon it is now here ordered and decreed by this Court that this cause be and the same is hereby dismissed with cost.

Opd Mr Jus McLean

120 & 166	Philo Chamberlain et al. Claimts &c Appts vs Eber B. Ward et al Survs &c	On consideration of the motion of Mr Ewing in behalf of the Counsel for the respective parties herein, and the stipulation of said Counsel. It is now here ordered by the Court that the transcript of the record in the case No 120. on the present docket, be withdrawn from that case and be filed and considered as the return to the appeal taken in this case.-
127 & 183	Eber B. Ward et al, Survs &c vs Philo Chamberlain et al Claimts &c	On consideration of the motion of Mr Ewing in behalf of the Counsel for the respective parties herein, and the stipulation of said Counsel - It is now here ordered by the Court that the transcript of the record in the case No 127 on the present docket be withdrawn from that case and be filed and considered as the return to the appeal taken in this case.-

56 Eliphas Spencer - pltff in Er
vs
John W. Lapsley -

The argument of this cause was continued by Mr Hughes for the defendant in error and concluded by Mr Benjamin for the plaintiff in error.

56a George W. Watterson
vs pltff in Er
Andrew M. Payne

This cause was submitted to the consideration of the Court on the record and printed argument by Mr Benjamin of Counsel for the defendant in error.

Proclamation being made the Court is adjourned until to morrow morning at eleven o'clock.-

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable	Roger B. Taney	Chief Justice
	John M.c Lean	
	James M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Robert C. Grier	
	John A. Campbell	
	Nathan Clifford	

Jonah D. Hoover, Esquire, Marshal
William Thomas Carroll, Clerk. –

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr Gillet – it is ordered that Daniel Major Esquire of New York be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly. –

73	The Erie & North East Rail road Company - plff in Er vs Joseph Casey -	On the motion of Mr Stanton of Counsel for the plaintiffs in error and with the assent of Mr Knox of Counsel for the defendant in error - it is now here ordered by the Court that this cause be and the same is hereby continued to the next term. -
57.	Gilbert L. Thompson vs plff in Er Selden, Withers & Co.	The argument of this cause was commenced by Mr Tyson of Counsel for the plaintiff in error, continued by Mr Magruder of Counsel for the defendant in error and concluded by Mr Tyson for the plaintiff in error. -
61.	Timothy S. Goodman vs plff in Er John Simonds. -	This cause was argued by Mr Pugh of Counsel for the plaintiff in error and submitted on a printed argument

by Mr Sayer of Counsel for the defendant in error.

Proclamation being made the Court is adjourned until to morrow morning at eleven o'clock.

Pursuant to adjournment the Court met this morning at the Capitol.—

Present

The Honorable.	John McLean	
	James M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Robert C. Grier	
	John A. Campbell	
	Nathan Clifford	

Jonah D. Hoover Esquire, Marshal
William Thomas Carroll, Clerk.—

Proclamation being made the Court is opened.

34 Lyons M. McCormick vs Appt. / Waite Talcott et al

On the motion of Mr Stanton of Counsel for the appellees, it is now here ordered by the Court that this cause be and the same is hereby set down for argument on Wednesday next the 10th instant — and that the Clerk of this court give notice to the Counsel for the appellant, of this order.

34.	Byrnes & McCormick vs Appts. Waite Talcott & al	On the motion of Mr Stanton of Counsel for the appellees, it is now here ordered by the Court that an additional hour be allowed each Counsel in the argument of this cause.
62	Hyde & Oglesby - plffs in e vs Henry L. Stone. -	The argument of this cause was commenced by Mr Benjamin of Counsel for the plaintiffs in error, continued by Mr Taylor of Counsel for the defendant in error and concluded by Mr Benjamin for the plaintiffs in error.
64	William B. Dean - Appt vs Nathan Mason & al -	The argument of this cause was commenced by Mr Payne of Counsel for the appellees.

Proclamation being made the Court is adjourned until to morrow morning at eleven O'clock.-

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable	John Mc Lean	
	James M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Robert C. Grier	
	John A. Campbell &	
	Nathan Clifford	

Jonah D. Hoover Esquire Marshal
William Thomas Carroll Clerk

Proclamation being made the Court opened

William B. Dean. }	The argument of
vs	this cause was
64 Nathan Mason et al	continued by Mr
	Jenches of Counsel

for the appellant and concluded by Mr Payne for the appellee.

Thursday February 4th 1858

65.	John McGavock - Pltff in Er vs Peter W. Woodlief -	The argument of this Cause was commenced by Mr Benjamin of Counsel for the Plaintiff in error and concluded by Mr Taylor of Counsel for the defendant in error.
66	Horace H. Day - Appt vs The Union India Rubber Co	The argument of this Cause was commenced by Mr G. A. Seward of Counsel for the appellants

Proclamation being made the Court is adjourned until to morrow morning at eleven o'clock.

Pursuant to adjournment the Court met this morning at the Capitol.

Present,

The Honorable	John McLean	Associate Justices
	James M. Wayne	
	John Catron	
	Peter V. Daniel	
	Samuel Nelson	
	Robert C. Grier	
	John A. Campbell	
	Nathan Clifford	

Jonah D. Hoover Esquire, Marshal
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened

124

Lloyd N. Rogers admr de bonis non &c of Joseph E. Law by Mary Robinson his next friend Appts	It is ordered by the Court that the motion filed by Mr Bond to dismiss this cause be and the same is hereby set down for argument on Friday the 19th instant.

159.	Charles Mc Micken ... vs Appt Franklin Perin -	the motion filed by Mr Taylor to dismiss this cause was argued by him in support thereof, and by Mr Gillet, of Counsel for the appellant, in opposition thereto - whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.
6	Ex parte: In the matter of Jacob Mussina val Appt. vs Rafl Garcia Cavazos val	Mr Benjamin of Counsel for the appellants, read in open Court the return of the Hon: John L. Watrous to the rule granted in this case, and moved the Court to award a peremptory mandamus as prayed for in said rule - Whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

66 Horace H. Day - Appt
vs
The Union India Rubber Co

The argument of this cause was continued by Mr Noyes of Counsel for the appellees and by Mr Sanches of Counsel for the appellant.

Proclamation being made the Court is adjourned until Monday morning at eleven O Clock.

Monday February 8th 1858.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable	John McLean	Associate Justices
	James M. Wayne	
	John Catron	
	Samuel Nelson	
	Robert C. Grier	
	John A. Campbell	
	Nathan Clifford	

Jonah D. Hoover Esquire, Marshal
William Thomas Carroll, Clerk. —

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. W. Curtis Noyes — it is ordered that N. Dane Ellingwood Esquire of New York be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

39. John H. Lyon - plff in Er
vs
John Borbaan, Alexander H. Twombly & Edwin Lawson

In error to the Circuit Court of the United States for the District of California.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Districts of California and was argued by Counsel - On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of California.

Per Mr Justice Campbell

51. Edwin M. Chaffee, Executor
Horace H. Day - plff in Er
vs
Nathaniel Hayward

In error to the Circuit Court of the United States for the District of Rhode Island.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Rhode Island and was argued by Counsel. On Consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

per Mr. Jus. Catron.

Horace H. Day - pltff in Er vs 52. Nathaniel Hayward	On error to the Circuit Court of the United States for the District of Rhode Island.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Rhode Island and was argued by Counsel. On Consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

per Mr: Jus: Catron

66. Horace H. Day - Appt
vs
The Union India Rubber Company. —

The argument of this Cause was concluded by Mr Searches for the appellants.

58. Isaac M. Fisher - Appt
vs
Jacob M. Baldeman's Exor et al —

The argument of this Cause was commenced by Mr Isaac Fisher of Counsel for the appellants.

Proclamation being made the Court is adjourned until to morrow morning at eleven Oclock. —

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable John McLean
James M. Wayne
John Catron
Samuel Nelson
Robert C. Grier
John A. Campbell
Nathan Clifford
} Associate Justices

Jonah D. Hoover, Esquire Marshal
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Hon. Wm H. Seward - it is ordered that Edward Alonzo Brown Esquire, of New York be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

58.	Isaac M. Fisher - Appt vs Jacob M. Haldeman's Exor et al. -	The argument of this cause was continued by Mr Fisher for the appellant by Mr S. M. Read of Counsel for the appellees and concluded by Mr Fisher for the appellant.

Proclamation being made the Court is adjourned until to morrow morning at eleven o'clock.

Wednesday February 10th 1858.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable	John McLean	
	James M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Robert C. Grier	
	John A. Campbell	
	Nathan Clifford	

Jonah D. Hoover, Esquire, Marshal,
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Genl Howard - it is ordered that John K. Miller, Esquire, of Ohio be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Ann C. Smith for the use of Caleb Cushing — pltff in Er

vs

The Mayor, Board of Aldermen and Boards of Common Council of the City of Washington

In error to the Circuit Court of the United States for the District of Columbia holden in and for the County of Washington.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Columbia holden in and for the County of Washington and was argued by Counsel — On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with cos

per Mr Justice Grier

Robert Hudgins, John L. Hudgins Elliott W. Hudgins & Rebecca P. Hudgins Executrix, Legatee & devisee of Albert G. Hudgins, decd

21. vs

Wyndham Kemp, assignee in Bankruptcy of John L. Hudgins

Appeal from the Circuit Court of the United States for the Eastern District of Virginia.

This cause came on to be heard on the transcript of the records from the Circuit Court of the United States for the Eastern District of Virginia and was argued by Counsel. On Consideration whereof, it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar decrees bear in the Courts of the State of Virginia.

per Mr Justice Nelson.

	Elliott W. Hudgins and John L. Hudgins - vs Wyndham Kemp, assignee in Bankruptcy of John L. Hudgins.	Appeal from the Circuit Court of the United States for the Eastern District of Virginia
22.		

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Virginia and was argued by Counsel - On consideration whereof, it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs and interest until paid, at the same rate per annum that similar decrees bear in the Courts of the State of Virginia. -

Pr. Mr. Justice Nelson.

	Charles McMicken - Appts. - vs Franklin Perrin. -	Appeal from the Circuit Court of the United
159.		

States for the Eastern District of Louisiana.
This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Louisiana, and on the motion of Mr Taylor to dismiss the appeal, and was argued by Counsel — On Consideration whereof it is now here ordered and decreed by this Court that this appeal be and the same is hereby dismissed with costs. —

Ps Mr Justice McLean

34.	Cyrus H. McCormick vs Waite Talcott & al survivors of John H. Manney	The argument of this Cause was commenced by Mr Dickerson of Counsel for the appellant.

Proclamation being made the Court is adjourned until to morrow morning at eleven O'Clock.

Pursuant to adjournment the Court met this Morning at the Capitol.

Present,

The Honorable	John McLean	Associate Justices
	James M. Wayne	
	John Catron	
	Peter V. Daniel	
	Samuel Nelson	
	Robert C. Grier	
	John N. Crompton	
	Nathan Cliffords	

Jonah D. Hoover Esquire, Marshal.
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr James Cooper - it is ordered that A. Alexander Simpson Esquire of Pennsylvania be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr Reverdy Johnson - it

is ordered that D S. Dickinson Esquire of New York and James M. Keith Esquire of Massachusetts be admitted to practice as Attorneys and Counsellors of this Court and they were severally sworn accordingly.

Cyrus H. McCormick Os Appts. Wait Talcott & al Devisees of John K. Mumma	The argument of this cause was continued by Mr Dickerson for the appellant and by Mr Harding of Counsel for the appellees.

34

Proclamation being made the Court is adjourned until to morrow morning at eleven o'clock.

Pursuant to adjournment the Court met this morning at the Capitol

Present,

The Honorable	John McLean	
	James M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Robert C. Grier	
	John A. Campbell	
	Nathan Clifford	

Jonah D. Hoover, Esquire, Marshal
William Thomas Carroll, Clerk.

Proclamation being made the Court opened

On motion first made to the Court in this behalf by Mr Benjamin - it is ordered that S. Little Smith Esq. of Alabama be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly. -

74 Talbick & Shannon - Appts
vs
Rafel Garcia Barazo & wife et al

The motion filed by Messrs Hale and Robinson of Counsel for the appellees to dismiss this appeal was argued by Mr Robinson in support thereof Mr Benjamin of Counsel for the appellant declining to argue in opposition thereto - Whereupon this Court not being now sufficiently advised of and concerning what order to render in the premises took time to consider.

34 Lyons & McCormick
vs Appts
White Talcott et al
Survivors of John H Mauny

The argument of this cause was continued by Mr Harding for the appellees.

Proclamation being made the Court is adjourned until Monday morning at eleven o'clock.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable	John McLean	
	James M. Wayne	
	John Catron	Associate Justices
	Peter V. Daniel	
	Samuel Nelson	
	Robert C. Grier	
	John N. Campbell	
	Nathan Clifford	

Jonah D. Hoover, Esquire, Marshal.
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened.

On motion just made to the Court in this behalf by Mr. W. H. Kelsey - it is ordered that Charles H. Thomson Esquire of New York be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.-

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On motion just made to the Court in this behalf by Mr. L. J. Hutchinson - it is

ordered that Harmon S. Cutting Esquire of New York be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

Order of Court.-

There having been an Associate Justice of this Court appointed since its last session, it is ordered that the following allotment be made of the Chief Justice and Associate Justices of said Court among the Circuits, agreeably to the act of Congress in such case made and provided; and that such allotment be entered of record, Viz:

For the first Circuit - Nathan Clifford, Associate Justice
For the second Circuit - Samuel Nelson - Associate Justice
For the third Circuit - Robert C. Grier - Associate Justice
For the fourth Circuit - Roger B. Taney - Chief Justice
For the fifth Circuit - John A. Campbell - Associate Justice
For the Sixth Circuit - James M. Wayne - Associate Justice
For the seventh Circuit - John McLane - Associate Justice
For the Eighth Circuit - John Catron - Associate Justice
For the Ninth Circuit - Peter V. Daniel - Associate Justice

	John C Hyde & Joseph H Oglesby a Commercial firm trading under the name & style of Hyder Oglesby Pltffs in Er Henry L. Pike. —	On error to the Circuit Court of the United States for the Eastern District of Louisiana.
62.		

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Louisiana and was argued by Counsel — On Consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Louisiana.

Mr Justice Campbell

33	The Commercial Bank of Manchester - Appt vs Henry S. Buckner	Appeal from the Circuit Court of the United States for the Eastern District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Louisiana and was argued by Counsel - On Consideration whereof, it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs. -

Opr Mr Jus Wayne

40	William S. Hungerford vs Appt. John Sigerson -	Appeal from the District Court of the United States for the District of Wisconsin.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Wisconsin - and was argued by Counsel - On Consideration whereof, it is now

Were ordered adjudged and decreed by this Court that the decree of the said Dist Court in this cause be and the same is hereby affirmed with costs.

Ps Mr. Justice McLean

48. William B. Grant et al vs Appts Cornelius Pillow et al

Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York and was argued by Counsel. On Consideration whereof it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

Ps Mr Justice McLean.

64 William B. Dean - Appt
vs
Nathan Mason et al -

Appeal from the Circuit Court of the United States for the District of Rhode Island.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Rhode Island and was argued by Counsel - On Consideration Whereof it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby reversed with costs, and that this cause be and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity to the opinion of this Court and as to law and justice shall appertain. -

Ord Mr Jus; McLean.

6

On Sale: In the matter of Jacob Mussina & Angela Garcia Lafon de Tavernet Vs Appt Rafel Garcia Navajas & wife & al.-

On consideration of the return filed by the Honorable Edward E. Watrous Judge of the District Court of the United States for the Eastern District of Texas in obedience to the rule granted by this Court on a prior day of the present term to wit; on Thursday the 24th of December last and of motion made by Mr Benjamin on the 5th instant for a writ of peremptory mandamus - It is now here considered and ordered by this Court that the said motion be and the same is hereby overruled, and that the rule heretofore granted by this Court as aforesaid be and the same is hereby discharged.-

Appt Mr Geo McLean

34.	Cyrus H. McCormick Appt vs Waite Talcott & al Survivors of John H. Manney the appellees	the argument of this cause was continued by Mr E.M. Stanton of Counsel for

Proclamation being made the Court is adjourned until to morrow morning at eleven o'clock.

Pursuant to adjournment the Court met this morning at the Capitol.

Present,

The Honorable	Peter V. Daniel	Associate Justices
	Samuel Nelson	
	Robert C. Grier	
	John A. Campbell	
	Nathan Clifford	

Jonah D. Hoover Esquire, Marshal,
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr D. S. Dickinson it is ordered that Thomas J. Reynolds Esquire of New York be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

Tuesday February 16th 1858. Continued

34	Eyre & Mc Kenrick Appt vs Waite Talcott Exr, Survivor of John H Manney -	The argument of this cause was concluded by Mr Dickerson for the Appellant.

Proclamation being made the Court is adjourned until to morrow morning at eleven o'clock. -

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable	John McLean	Associate Justices
	James M. Wayne	
	John Catron	
	Peter V. Daniel	
	Samuel Nelson	
	Robert C. Grier	
	John A. Campbell	
	Nathan Clifford	

Jonah D. Hoover Esquire Marshal
William Thomas Carroll Clerk

Proclamation being made the Court is opened

The Peoples Ferry Company of Boston, Owners of Steamboat Jefferson. — Appeal
vs
R. C. Perry's Assignees

This cause was argued by Mr O'Brien Clerk of Counsel for the Appellees and submitted on a printed argument by Mr O'Connor in behalf of the appellants.

Proclamation being made the Court is adjourned until to morrow morning at eleven o'clock.

 Thursday February 18th 1858.

Pursuant to adjournment the Court met this morning at the Capitol.—

Present.

The Honorable John Mc Lean
James M. Wayne
John Catron
Peter V. Daniel
Samuel Nelson
Robert C. Grier
John A. Campbell
Nathan Clifford
} Associate Justices

Jonah D. Hoover, Esquire, Marshal,
William Thomas Carroll, Clerk.—

Proclamation being made the Court is opened.

On motion first made to the Court in his behalf by Mr Richard W. Thompson - it is ordered that William C. Niblack Esquire of Indiana be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.—

38.	The United States — plffs in Er vs James Collier. —	The argument of this cause was commenced by Mr Attorney General Black of Counsel for the plaintiffs in error & continued by Mr D. L. Dickinson of Counsel for the defendant in error. —

Proclamation being made the Court is adjourned until to morrow morning at eleven o'clock. —

Friday February 19th 1858

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable	John McLean	
	James M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices
	Samuel Nelson.	
	Robert C. Grier	
	John A. Campbell	
	Nathan Clifford	

Jonah D. Hoover, Esquire, Marshal,
William Thomas Carroll Clerk.—

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr James R. Doolittle.—
it is ordered that George Bancroft Brandt Esquire of Michigan be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.—

124.	Lloyd A Rogers admr &c vs Joseph E Law by Mary Robinson his next friend.	It is now here considered and ordered by the Court that the Motion to dismiss this case filed on the 30th ultimo be and the same is hereby set down for argument on the first motion day of the adjourned term.
68.	The United States-plffs in &c vs James Collier	The argument of this Cause was continued by Mr Dickinson and Collier of Counsel for the defendant in error and by Mr Gilliat of Counsel for the plaintiffs in error.

Proclamation being made the Court is adjourned until Monday morning at eleven oclock.—

Monday February 22d 1858.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable:	John Mc Lean	
	James M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices.
	Samuel Nelson	
	Robert C. Grier	
	John A. Campbell	
	Nathan Clifford	

Jonah D. Hoover Esquire, Marshal,
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened.

On motion just made to the Court in this behalf by Mr Gillet - it is ordered that Benj. F. Watson and Henry L. Ballett Esquires of Massachusetts be admitted to practice as Attorneys and Counsellors of this Court and they were severally sworn accordingly. -

58. Isaac M. Fisher - Apltt
vs
John Waldeman, Surv. of Waldeman, Richard & Waldeman & Robt J. Ross Exrs of Jacob M. Waldeman deceased & Thomas Chambers admr de bonis non of Thomas Duncan, deceased.

Appeal from the Circuit Court of the United States for the Eastern District of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Pennsylvania and was argued by Counsel. On consideration whereof, it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

Ps Mr Jus. Grier.

65. John McGarrock
vs Affirmed
Peter W. Wardlick

In error to the Circuit Court of the United States for the Eastern

District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Louisiana and was argued by Counsel - On Consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby reversed with costs and that this cause be and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity to the opinion of this Court. -

Opn Mr Jus: Nelson. -

Horace H. Day - Apt vs The Union India Rubber Company. --	Appeal from the Circuit Court of the United States for the Southern District of New York. -

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York and was

argued by Counsel. On Consideration whereof, it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs.—

Opr Mr Jus Nelson

42 Samuel A. Wehle et al vs Phippin & Albert T. Burnley

Error to the District Court of the United States for the District of Texas.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Texas and was argued by Counsel. On Consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be and the same is hereby affirmed with costs.

Opr Mr. Jus. Catron

Mr Jus. Daniel, dissenting.—

187 The United States - Appt
vs
Charles Wesat -

Mr Gillet having suggested to the Court the illness of Mr Attorney General Black and that in consequence it would be impossible for him to argue this case which is set down for argument next Wednesday, now here stated to the Court that the said Attorney General had instructed him to apply for leave for him to argue this cause in lieu of the said Attorney General - On consideration whereof it is now here ordered by the Court that leave be and the same is hereby granted to Mr Gillet to argue this case in lieu of Mr Attorney General Black -

68 The United States - plffs in Er
vs
James Collier -

The argument of this cause was concluded by Mr Gillet for the plaintiffs in error.

James H. Roydam - plff in Er vs William H. Williamson et al	The argument of this cause was commenced by Mr Ellingwood of Counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until to morrow Morning at eleven O'clock

Tuesday February 23d 1858

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable	James M. Wayne	
	John Catron	
	Peter V. Daniel	Associate
	Samuel Nelson	Justices.
	Robert C. Grier	
	John A. Campbell &	
	Nathan Clifford	

Jonah D. Hoover, Esquire, Marshal,
William Thomas Carroll, Clerk.—

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Badger it is ordered that T. Lyle Dickey Esquire of Illinois and E. A. Alger Esquire of Massachusetts be admitted to practice as attorneys and Counsellors of this Court and they were severally sworn accordingly.—

69.	James H. Ingham — plff in Error vs William H. Williamson et al	the argument of this cause was continued by Mr Ellingwood for the plaintiff in error, by Mr Field for the defendants in error and concluded by Mr Ellingwood for the plaintiff in error.

20	Daniel L. Hickok et al owners of the Steamboat New York vs Appts James Stewart et al Claimts of the Brig Croton	This cause was argued by Mr Phillips of Counsel for the appellants.

(Mr. Justice Thompson having been of Counsel did not sit in this cause.)

Proclamation being made the Court is adjourned until to morrow morning at eleven o'clock.

Pursuant to adjournment the Court met this morning at the Capitol -

Present

The Honorable	Roger B. Taney,	Chief Justice
	James M. Wayne	
	John Catron	
	Peter V. Daniel	Associate
	Samuel Nelson	Justices
	Robert C. Grier	
	John A. Campbell	
	Nathan Clifford	

Jonah D. Hoover, Esquire, Marshal,
William Thomas Carroll Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr James A. Bayard - it is ordered that R Biddle Roberts Esquire, of Pennsylvania be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly. -

45.	Eugene Leitensdorfer and Isaac Vaughan - plff in E vs James S. Webb.	In error to the Supreme Court of the Territory of New Mexico

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of New Mexico and was argued by Counsel - On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be and the same is hereby affirmed with costs and interest at the rate of five per cent per annum until paid.

Opd Mr Jus: Campbell

5.	Adolphus Durant, - Appt vs Samuel Lawrence, John Nesmith, Daniel Saunders & Edward S. Rand, Charles L. Keeran & Essex Company.	Appeal from the Circuit Court of the United States for the District of Massachusetts.

This cause came on to be heard

on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts and was argued by Counsel - On consideration whereof, it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

By a divided Court.

The Covington Draw Bridge Company. - plffs in Er 113 vs Alexander D. Shebard, James Davidson, Elijah F. Gillam, Samuel Mc Clure, Samuel Bliss & George Willard.	In error to the Circuit Court of the United States for the District of Indiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Indiana and was argued by Counsel - On consideration whereof, it is now here ordered and adjudged

by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs and interest until paid at the rate of six per annum that similar judgments are in the Courts of the State of Louisiana.

Per Mr Ch. Jus. Taney

Mr Jus. Daniel, dissenting.

49. Jacob A. Payne, J. P. Harrison & George W. Huntington, Commercial partners under the name & firm of Payne & Harrison, intervenors &c — pltffs in Er

vs

Jonathan S. Niles, James M. Niles, Leander H. Bonzy & Lebbeus Allen, partners doing business under the name & style of Niles & Co pltffs & Wm. A. Broadwell Exor of Andrew Knox, deceased.

In error to the Circuit Court of the United States for the Eastern District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for

the Eastern District of Louisiana and was argued by Counsel. On consideration whereof, it is now here ordered & adjudged by this Court that this writ of error be and the same is hereby dismissed with costs, and that this cause be and the same is hereby remanded to the said Circuit Court that such proceedings may be had therein in conformity to the opinion of this Court, and as to law and justice shall appertain. —

Per Mr. Ch. Jus: Taney. —

George W. Walterston vs Jeffries & Andrew M. Payne	36.	In error to the Circuit Court of the United States for the Eastern District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Louisiana and was argued by Counsel. On consideration whereof, it appearing to this Court that this cause has been brought to

this Court solely for the purpose of delay it is thereupon now here ordered and adjudged by this Court that the judgment of the said Circuit Court (which on the eighth day of December 1855, the date on which it was signed, amounted to $3.967 32/100, including the principal and interest to said date) be and the same is hereby affirmed with costs in both this and the said Circuit Court, and damages at the rate of ten per cent per annum on said $396 32/100 from said 8th December 1855 to this 24th day of February 1858, and without any further damages or interest upon either the judgment of the said Circuit Court or this Court - And it is further ordered and adjudged by this Court that this cause be and the same is hereby remanded to the said Circuit Court with directions to issue an execution in favor of the said Andrew M. Payne and against the said George W. Woulfe-stone for the sum of $4845 16/100 (being the amount of the aforesaid judgment

of the said Circuit Court together with the damages thereon at the rate of ten per centum per annum as aforesaid) and for the costs laid out and expended by the said Andrew W. Payne in this case in this Court and also for the costs in this case in the said Circuit Court.—

Ord Mr Ch. Jus. Taney.

187. The United States - Appts
vs
Charles Foseak.—

The argument of this cause was commenced by Mr Gillet of Counsel for the appellants and continued by Mr Bayard of Counsel for the appellee.—

Proclamation being made the Court is adjourned until to morrow morning at eleven o'clock.—

Pursuant to adjournment the Court met this morning at the Capitol.

Present,

The Honorable	Roger B. Taney,	Chief Justice
	James M. Wayne	
	John Catron	
	Peter V. Daniel	
	Samuel Nelson	
	Robert C. Grier	
	John A. Campbell	
	Nathan Clifford	

Jonah D. Hoover Esquire, Marshal.
William Thomas Carroll, Clerk

Proclamation being made the Court is opened

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55. Elisha Spencer - Plff in Er
vs
John W. Lapsley -

In error to the Circuit Court of the United States for the Eastern District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Louisiana and

was argued by Counsel - On Consideration Whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

Ch. Jus. Campbell
Mr Jus. Daniel dissenting.

	The United States - plffs in Er vs Lollich Breitling -	In error to the Circuit Court of the United States for the Southern

41.

District of Alabama.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Alabama and was argued by Counsel - On Consideration Whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby reversed, and that this cause be and the same is hereby remanded to the said

Circuit Court with directions to award a venire facias de novo.

Ord. Mr Ch: Jus Taney.

57. Gilbert L. Thompson — pltff in Err
vs
William Selden, John Withers, Robert W. Latham & Laurence P. Bayne, Bankers doing business under the firm of Selden, Withers & Co

In error to the Circuit Court of the United States for the District of Columbia holden in and for the County of Washington.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Columbia holden in and for the County of Washington, and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs and interest at the rate of six per cent per annum until paid.

Ord. Mr Ch: Jus. Taney.

The United States - Appt vs 187 Charles Fossat -	The argument of this cause was continued by Mr. Bayard and Badger of Counsel for the appellee. -

Proclamation being made the Court is adjourned until to morrow morning at eleven O'clock. -

Pursuant to adjournment the Court met this morning at the Capitol.

Present,

The Honorable	James M. Wayne	
	John Catron	
	Peter V. Daniel	Associate
	Samuel Nelson	Justices
	Robert C. Grier	
	John A. Campbell	
	Nathan Clifford	

Jonah D. Hoover, Esquire, Marshal
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Phillips - it is ordered that Andrew H. H. Dawson, Esquire of Georgia be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr Gillet - it is ordered that Nathaniel G. White Esquire

of Massachusetts and Henry G. Adams Esquire of New York be admitted to practice as Attorneys and Counsellors of this Court and they were severally sworn accordingly.

The Ocean Tow Boat Company owners of Steam Tow Boat Star &c vs Appts The Ship Ocean Queen & the Steam Ship Crescent City - And Charles Hill & al owners of the Ship Ocean Queen - Appts vs The United States mail Steamship Co Claimts of Steamship Crescent City	It is now here ordered by the Court that these cases be and the same are hereby set down for argument on the second (Monday of April next (which will be the 12th day of said (month) by the respective Counsel for the Ocean Tow Boat Company owners of the Steam Tow Boat Star and for the United States mail Steamship Company, claimants of the Steamship Crescent City (no argument being required from the Proctor for the "Ocean Queen".-)

11 Robert Taylor's admrs
vs
Nathan F. Barry who survived William S. Ward.

It is now here ordered by the Court that this cause be and the same is hereby set down for reargument on the second Monday of April next (which will be the 12th day of said month).-

950. The United States - Appts
vs
Sebastian Nunez -

Appeal from the District Court of the United States for the Northern District of California.-

This cause came on to be heard on the transcript of the records from the District Court of the United States for the Northern District of California and on the motion of Mr Black, Attorney General of the United States, and of Counsel for the appellants it is now here considered, adjudged and decreed by this Court that this appeal be & the same is hereby dismissed.-

Pr Mr: Jus, Wayne.-

187. The United States - Appts
vs
Charles Forsath.

The argument of this cause was concluded by Mr Reverdy Johnson in behalf of the United States.—

Proclamation being made the Court is adjourned until the first Monday of April next at 12 O'clock.—

Pursuant to adjournment the Court met this day at the Capitol

Present

The Honorable	Roger B. Taney	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Robert C. Grier	
	John A. Campbell	
	Nathan Clifford	

William Selden Esquire, Marshal.
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened.

William Selden, Esquire of the District of Columbia appeared and produced the following Letters Patent, and oath of Office, which were read in open Court and ordered by the Court to be recorded on the Minutes of the Court, in the following words, to wit:—

"James Buchanan,
President of the United States of America,
To all who shall see these Presents, Greeting:

Know Ye, that reposing special trust and confidence in the Integrity, Ability and Diligence of William Selden, of the District of Columbia, I have nominated, and by and with the advice and consent of the Senate, do appoint him, Marshal of the United States in and for the District of Columbia; and do authorize and empower him to execute and fulfil the duties of that office according to law. And to have and to hold the said Office with all the powers, privileges and emoluments to the same of right appertaining unto him the said William Selden, for the term of four years from the day of the date hereof, unless the President of United States for the time being, should be pleased sooner to revoke and determine this Commission.--

Seal

In Testimony whereof, I have caused these Letters to be made Patent and the seal of the

United States to be thereunto affixed.

Given under my hand at the City of Washington the thirtieth day of March in the year of our Lord one thousand eight hundred and fifty eight and of the Independence of the United States of America the eighty second.

By the President. "James Buchanan

Lewis Cass,

Secretary of State."

"The United States of America.

District of Columbia, County of Washington.

Personally appeared before me, William Selden, Marshal of the United States for the District of Columbia, who first being duly sworn doth depose as follows, that is to say "I William Selden do solemnly swear that I will support the Constitution of the United States," and "I, William Selden do solemnly swear that I will faithfully execute all lawful precepts directed to the Marshal of the District of Columbia, under the authority of the United States and true returns

make, and in all things well and truly and without malice or partiality perform the duties of the Office of Marshal of the District of Columbia during my continuance in said Office, and take only my lawful fees — So help me God —

Wm Selden.

Sworn to and subscribed before me this 31st day of March A.D. 1858. in the City of Washington, District of Columbia.

Jas Dunlop. —

True Copy.

Test: Jno A. Smith, Clerk of the District Court for the District of Columbia. —

53 Enoch Roberts - plff in Er
vs
James M. Cooper —

On the motion of Mr Reverdy Johnson of Counsel for the plaintiff in error, it is now here ordered by the Court that this cause be and the same is hereby set down for argument next after No 70. —

Francis Weaver - plff in Er vs Cephas K. Norton ral -	jn	The argument of this cause was commenced by Mr Dickey of Counsel for the plaintiff in error. Continued by Mr Badger of Counsel for the defendant in error & concluded by Mr Dickey for the plaintiff in error. -

Proclamation being made the Court is adjourned until to morrow morning at eleven O'clock. -

Tuesday April 6th 1858

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable	Roger B. Taney,	Chief Justice.
	John McLean	
	James M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Robert C. Grier	
	John A. Campbell	
	Nathan Clifford	

William Selden Esquire, Marshal.
William Thomas Carroll, Clerk.—

Proclamation being made the Court is opened.

On motion just made to the Court in this behalf by Mr Reverdy Johnson — it is ordered that Archd Cary Peachy Esquire of California be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

Gilbert L. Thompson vs pl'ff in E 57. Selden, Withers & co	Mr Chilton of Counsel for the defendant in error having filed and read in open

Court a suggestion of a diminution of the record in this case in the words following. to wit:-

"That in the record filed in this case the judgement is stated to have been rendered by the Circuit Court for two dollars instead of for two thousand dollars."-

By reason of which omission and error aforesaid the said Counsel now here moved the Court to award a writ of Certiorari to be directed to the Judges of the Circuit Court of the United States for the District of Columbia, commanding them that searching the records and proceedings of said Court in this cause they shall certify to this Court under the seal of the said Circuit Court whatever omissions and errors shall be found - On consideration whereof, it is now here ordered and adjudged

by this Court that a writ of Certiorari be and the same is hereby awarded to be issued forthwith and to be directed to the Judges of the said Circuit Court commanding them that searching the records and proceedings aforesaid they forthwith certify to this Court under the seal of the said Circuit Court whatever omissions and errors shall be found in this cause and return the same with the said writ of Certiorari forthwith to this Court. —

Opr Mr Ch: Jus. Taney. —

53. Enoch Roberts plff in Er
vs
James M. Cooper —

The argument of this Cause was commenced by Mr Truman Smith of Counsel for the plaintiff in error and continued by Mr Winston of Counsel for the defendant in error.

Proclamation being made the Court is adjourned until to morrow Morning at eleven O'clock. —

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable	Roger B. Taney	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Robert C. Grier	
	John A. Campbell	
	Nathan Clifford	

William Selden, Esquire, Marshal
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened

Enoch C. Roberts-plff in Er
vs
James M. Cooper -

51

The argument of this cause was continued by Mr Vinton for the defendant in error, and concluded by Mr Reverdy Johnson of Counsel for the plaintiff in error.

Charles W. Gazzam - plff in Er
vs
71 Lessee of Elam Phillips et al

The argument of this cause was commenced by Mr S. Little Smith of Counsel for the plaintiff in error (Mr Justice Campbell did not sit in this cause)

Proclamation being made the Court is adjourned until to morrow Morning at eleven Oclock.—

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable	Roger B. Taney	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Robert C. Grier	
	John A. Campbell	
	Nathan Clifford	

William Selden Esquire, Marshal,
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened.

71. Charles W. Gazzam plff in err vs Lessee of Elam Phillips et al

The argument of this Cause was continued by Mr Smith for the plaintiff in error & by Mr Sherman of Counsel for the defendant in error.

Proclamation being made the Court is adjourned until to morrow morning at eleven O'Clock.

Pursuant to adjournment the Court met this morning at the Capitol.

Present,

The Honorable	Roger B. Taney,	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Robert C. Grier	
	John A. Campbell	
	Nathan Clifford	

William Selden, Esquire, Marshal.—
William Thomas Carroll, Clerk.—

Proclamation being made the Court is opened

56.	George W. Watterston Plff in Er vs Andrew M. Payne	Mr Bradley of Counsel for the plaintiff in error for the reasons set forth in his written motion filed in this cause on the 27th of February last, moved the Court for leave to enter his appearance and file and submit

his brief in the consideration of the Court - To which Mr Benjamin of Counsel for the defendant in error assented, provided that if the present judgment was not rescinded that the same should stand as of the date it was entered and that a writ of procedendo should be issued as if no such motion had been made. On consideration whereof, this Court not being now here sufficiently advised of and concerning what order to make in the premises took time to consider. -

4 The Ocean Tow Boat Company &c Appts
vs
The Ship Ocean Queen & Steamship Crescent City -

9 And
The Owners of Ship Ocean Queen Appts
vs
The Owners of Steamship Crescent City

Mr Bulling of Counsel for the "Steamship Crescent City" now moved the Court to set down these cases for re-argument on next Monday fortnight the 26th instant - to which Mr Benjamin of Counsel for the "Ocean Towboat Company"

assented - On consideration whereof, it is now here ordered by the Court that these cases be set down for re argument next monday fortnight the 26th instant in the manner directed by the order of this Court of the 26th of February last.-

J. O. Nelson & Co. Appts vs Samuel R. Garner & al. Claimts of the Steamer Brigadier Genl R. H. Stokes	216	Mr Gillet of Counsel for the appellees moved the Court to dismiss this appeal "upon the ground of a want of jurisdiction originally in the District Court" - On consideration whereof, it is the opinion of this Court that the question of jurisdiction in the lower Court is a proper one for appeal to this Court and for argument when the case is regularly reached and that this Court have jurisdiction on such appeal. Whereupon it is now here ordered by the Court that the motion to dismiss this appeal on that ground be and the same is hereby overruled.

(Pr Mr Ch: Jus: Taney.-

273. George de Swartz - Appl
vs
The United States -
Appeal from the District Court of the United States for the Northern District of California.

Mr Attorney General Black of Counsel for the appellees having filed and read in open Court the following certificate, to wit;

"In the District Court of the United States for the Northern District of California.

The United States - Appellees.
vs
George de Swartz - Appellant.

"Nueva Helvetia"
Dist Court No 279
Land Com. No 655.

I John A. Monroe, Clerk of the District Court of the United States for the Northern District of California, do hereby certify that in the above entitled cause a decree rejecting the land claimed, was filed in this Office on the fifth day of October A.D. 1857; and I do hereby further certify that on the thirtieth day of November A.D. 1857 an appeal from the said decree was

duly sued out and allowed.-

(Seal) In Testimony whereof, I have hereunto set my hand and affixed the seal of the said Court this third day of March A.D. One thousand eight hundred and fifty eight.

John A. Monroe Clerk.
by W.H. Chevens Deputy."

and having stated that the appellant had altogether failed to file the record in said cause in this Court, or in any way to prosecute said appeal.- Now here moved the Court in pursuance of the 65th Rule of this Court to have this appeal dockited and dismissed.- On consideration whereof it is now here ordered and decreed by this Court that this appeal from the District Court of the United States for the Northern District of California be and the same is hereby dockited and dismissed, and that this cause be and the same is hereby remanded to the said District Court for further proceedings to be had therein in conformity to law and justice. The said appeal

notwithstanding.

Opr Mr Ch. Jus: Taney.

71 Charles W. Gazzam plff in Er vs Lessee of Elam Phillips et al — the argument of this cause was concluded by Mr Smith for the plaintiff in error.

(Mr Jus: Campbell did not sit in this cause)

72. Francis Selden — Appt vs Laurence Myers et al — The argument of this cause was commenced by Mr Webb of Counsel for the appellant, continued by Mr Bradley of Counsel for the appellees and concluded by Mr Love of Counsel for the appellant.

Proclamation being made the Court is adjourned until Monday morning at eleven O'clock.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable	Roger B. Taney,	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices.
	Samuel Nelson	
	Robert C. Grier	
	John A. Campbell	
	Nathan Clifford	

William Selden, Esquire Marshal,
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Badwalader - it is ordered that Benton Love, of Pennsylvania be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court

in this behalf by Mr Phillips - it is ordered that Edward D. Pringle Esquire of California be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

Mr Chief Justice Taney, announced to the Bar that as a token of respect to the memory of the late Col Thomas Hart Benton, and to enable the Judges of this Court to attend the funeral obsequies of the deceased, the Court will adjourn at one o'clock to day.

Order of Court.

Ordered by the Court that the Marshal furnish to each Judge such stationary only as he may call for: and if any Judge chuses to select his own stationary, the Marshal will furnish such as the Judge may select. And whenever stationary is furnished, whether selected by the Judge, or the Marshal under his direction, the account of the cost shall at the same time be presented.

to the Judge. And in stating his account for settlement he will add these sums together and charge them in one item as so much furnished to the Judges at their offices. And in another and separate item he will charge the aggregate amount of the stationary furnished to the Court, in the Court room and ante-chamber and conference room - and laid upon their desks or on the tables in the rooms. -

George W. Watterston - pltff in Er vs Andrew M. Payne -	56	A motion is made at the present session of the Court by Counsel for the plaintiff in error to open the judgment in this case, to enable him to file a brief or printed argument. -

The case was brought up to this Court and entered by the plaintiff in error on the docket at December Term 1856. - The defendant in error appeared at that term, but no appearance was entered for the plaintiff - At the late

session of the Court at the present term the case was reached in the regular order of the docket and called for trial on the first day of February. The defendant in error appeared and submitted the case on a printed brief. No Counsel appearing on behalf of plaintiff. The judgement of the Court was not delivered until Wednesday February 7th. and the Court continued in session until Friday the 9th when it adjourned to the first Monday in this month. And up to the time of the adjournment no appearance had been entered for the plaintiff in error, nor any motion made to the Court in his behalf.

Under such circumstances a motion at the present session to open the judgement and permit a printed brief & argument in behalf of the plaintiff in error comes too late according to the rules and practice of this Court and is therefore overruled.

pr Mr Ch. Jus: Taney.—

Robert Taylors adm^r_ plff in Er vs Nathan T. Lowry[e] who survived William B Wards_ _	The argument of this cause was commenced by Mr Read. of Counsel

for the plaintiff in error.

Proclamation being made the Court is adjourned until to morrow morning at eleven o'clock._

Pursuant to adjournment the Court met this morning at the Capitol.

Present,

The Honorable	Roger B. Taney,	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Robert C. Grier	
	John A. Campbell	
	Nathan Clifford	

William Selden, Esquire, Marshal,
William Thomas Carroll Clerk.

Proclamation being made the Court is opened

Thomas Jackson, William Leyden & Archibald Olds, owners of the Steamboat Wetumpka. Appts

vs

The Steamboat Magnolia, her tackle &c William F. Barnes Master & part owner, and bailee for the other owners.

Appeal from the District Court of the United States for the middle District of Alabama.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the middle District of Alabama and was argued by Counsel - On consideration whereof, it is now here ordered, adjudged and decreed by this Court that the decree of the said District Court in this cause be and the same is hereby reversed with costs, and that this cause be and the same is hereby remanded to the said District Court for further proceedings to be had therein in conformity to the opinion of this Court -

pr Mr Jus: Grier

(Mr Jus: McLean read a separate opinion concurring in the decree of the Court.)

Dissenting - Mr Jus: Daniel -

Mr Jus: Campbell and Mr Jus: Catron.

11. Robert Taylor's admr
as pltff in Er
Nathan F. Carryl who
survived William L. Ewards

and by Mr Ewards of
defendant in error.

The argument of
this cause was
continued by
Mr Wood for the
plaintiff in error
counsel for the

Proclamation being made the Court
is adjourned until to morrow morn-
ing at eleven o'clock.

Wednesday April 14th 1858.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable	Roger B. Taney,	Chief Justice,
	John McLean	
	James M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices.
	Samuel Nelson	
	Robert C. Grier	
	John A. Campbell	
	Nathan Clifford	

William Selden, Esquire, Marshal
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened

11. Robert Taylor's admr &c Plffs in Er
vs
Nathan T. Carryl, who survived William J. Ward

The argument of this cause was continued by Mr Evarts for the defendant in error, and concluded by Mr Cadwalader of Counsel for the plaintiff in error.

75 Dean Richmond - Appt
vs
The City of Milwaukie et al

Mr Doolittle of Counsel for the defendants in error having stated to the Court that stipulation by the Counsel for the respective parties to continue this cause was on file moved the Court to continue the same - On consideration whereof, it is now here ordered by the Court that this cause be and the same is hereby continued to the next term.

76. John M. Ahl - Appt
vs
Roswell B. Johnson

The argument of this cause was commenced by Mr Cooper of Counsel for the appellants

Proclamation being made the Court is adjourned until to morrow morning at eleven o'clock.

10004 Thursday April 15th 1858.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable	Roger B. Taney,	Chief Justice.
	John McLean	
	James M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Robert C. Grier	
	John A. Campbell	
	Nathan Clifford	

William Selden, Esquire, Marshal.
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened

John M. Ahl - Appt. vs Roswell B. Johnson	The argument of this cause was continued by Mr Bradley of Counsel for the appellee and concluded by Mr Cooper for the appellant

76

John B. Irvine - 3/961 vs. William R. Marshall et al	The argument of this cause was commenced by Mr Cooper of Counsel for the appellant, continued by Mr Bradley of Counsel for the appellees and concluded by Mr Cooper for the appellant.

Proclamation being made the Court is adjourned until to morrow morning at eleven o'clock.

Friday April 16th 1858.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable	Roger B. Taney,	Chief Justice,
	John McLean	
	James M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Robert C. Grier	
	John A. Campbell	
	Nathan Clifford	

William Selden, Esquire, Marshal,
William Thomas Carroll, Clerk. –

Proclamation being made. The Court is opened

78	James Stinson – Plff in Er vs Hercules L. Dousman	The argument of this Cause was commenced by Mr Cooper of Counsel for the plaintiff in error, continued by Mr Gilpin and Mr Hocking of Counsel for the defendant in error and concluded by Mr Cooper for the

plaintiff in error. –

Proclamation being made the Court is adjourned until Monday morning at eleven o'clock. –

Monday April 19th 1858. –

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable	Roger B. Taney,	Chief Justice,
	John McLean	
	James M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Robert C. Grier	
	John A. Campbell	
	Nathan Clifford	

William Selden, Esquire, Marshal,
William Thomas Carroll, Clerk. –

Proclamation being made the Court is opened.

	The United States - plffs in Error	In error to the
68.	vs	Circuit Court of
	James Collier –	the United States
		for the Southern

District of New York.

This cause came on to be heard on the Transcript of the record from the Circuit Court of the United States for

the Southern District of New York and was argued by Counsel — On Consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed.

By a Divided Court.

74 Patrick le Shannon Appt
vs
Rafael Garcia Cavazos
Maria Josefa Cavazos his wife
and Estafana Gozaweechea de
Cortina. —

Appeal from the District Court of the United States for the District of Texas. —

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Texas, and it appearing to the Court here upon the motion of Messrs Hale & Robinson of Counsel for the appellee that the decree of the said District Court in this cause is a joint decree against several co-defendants and that Patrick le Shannon alone has appealed therefrom

without any summons and severance from the rest of his co defendants, it is the opinion of this Court that the case is improperly brought here. On consideration whereof, it is now here ordered adjudged and decreed by this Court that this appeal be and the same is hereby dismissed with costs. —

Ch. Jus. McLean. —

	John Gourd val. Comp[an]y the firm of Gourd, Fiers & Co. vs Peppin & Mortimer Livingston	In error to the Circuit Court of the United States for the Southern District of New York. —
79.		

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and it appearing to the Court here that the counsel of the respective parties have filed a stipulation that the matters in this suit have been settled between the parties and that this writ of error shall be

dismissed, each party bearing his own costs in this Court - On consideration whereof it is now hereby ordered adjudged by this Court that this cause be and the same is hereby dismissed, and that each party pay his own costs in this Court.

Ord Mr: Ch: Jus: Taney

80. George R. Sampson vs plffs in Er. Charles H. Feaster Collector &c

The argument of this cause was commenced by Mr Griswold of Counsel for the plaintiffs in error, continued by Mr Attorney General Black of Counsel for the defendant in error and by Mr Reverdy Johnson of Counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until to morrow morning at eleven o'clock. -

Tuesday April 20th 1858.

Pursuant to adjournment the Court met this morning at the Capitol.

Present,

The Honorable	Roger B. Taney,	Chief Justice,
	John McLean	
	James M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Robert C. Grier	
	John A. Campbell	
	Nathan Clifford	

William Selden, Esquire, Marshal,
William Thomas Carroll, Clerk.-

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Bradley - it is ordered that M. C. Ames, Esquire of Minnesota Territory be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

80. George W. Sampson use &c pltff in Er
vs
Charles H. Rasley, Collector &c

The argument of this cause was concluded by Mr Johnson for the plaintiffs in error.

81. Joseph D. Bass use &c pltff in Er
vs
The State of Arkansas

82. James Holford's admr. pltff in Er
vs
The State of Arkansas

83. James Holford's admr. pltff in Er
vs
The State of Arkansas

84. The Bank of Washington &c pltff in Er
vs
The State of Arkansas
And
85. The Bank of Washington &c pltff in Er
vs
The State of Arkansas, and the Bank of the State of Arkansas

These cases were argued by Mr Pike of Counsel for the plaintiffs in error and submitted on printed arguments by Mr Hempstead of Counsel for the defendant in error

Proclamation being made the Court is adjourned until to morrow Morning at eleven o'clock.

Pursuant to adjournment the Court met this morning at the Capitol.

Present,

The Honorable	Roger B. Taney,	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Robert C. Grier	
	John A. Campbell.	
	Nathan Clifford	

William Selden, Esquire, Marshal
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened.

On motion just made to the Court in this behalf by Mr Gillet - it is ordered that Jesse Gay, Esquire of Plattsburgh, New York be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

86	James Williams' adm^r vs Appt Robert Oliver's Ex^rs and	The argument of these cases was commenced by Mess^rs Davis & Bulany of Counsel for Williams' adm^r and continued by Mr C. M. Campbell of
87	Robert Oliver's Exrs vs Appt James Williams' adm^r	

Counsel for Oliver's Executors.

92	John Gording's adm^r vs Appt Robert Oliver's Exrs and	The argument of these causes was commenced by Mess^rs Davis & Bulany of Counsel for Gording's adm^r and continued by Mr C. M. Campbell of
93	Robert Oliver's Ex^rs vs Appt John Gording's adm^r	

Counsel for Oliver's Ex^rs.

113	John Holroyd - pl^ff in Er vs Levi Humphrey -	In error to the Circuit Court of the United States for the District of

Columbia.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Columbia and it appearing to the Court on the motion of Mr Davis of Counsel for the plaintiff in error that the respective parties have filed a stipulation that the matters in controversy in this case have been settled and that the same shall be dismissed. It is thereupon now here considered ordered and adjudged by this Court that this cause be and the same is hereby dismissed with costs.

Per Mr Ch: Jus: Taney.

Proclamation being made the Court is adjourned until to morrow morning at eleven O'clock.

Thursday April 22d 1858.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable	Roger B. Taney,	Chief Justice.
	John McLean	
	James M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Robert C. Grier	
	John A. Campbell	
	Nathan Clifford	

William Selden, Esquire, Marshal,
William Thomas Carroll, Clerk. –

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Attorney General Black it is ordered that Horace Gray jr Esquire of Massachusetts be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

Daniel S. Hitchcock & George Gazzaway, owners of the Steam Boat New York.

vs Appts

30. James Stewart, Jonathan Hillman, Edgar M. Brown, William Leyden & John C. Baylor, Claimants of the Brig Caroton.—

Appeal from the Circuit Court of the United States for the Southern District of Alabama.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Alabama, and was argued by Counsel.— On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs.—

By a divided Court.)

34	Cyrus H. McCormick — vs Orrin Talcott, Ralph Emmerson, Jesse Blair & Sylvester Talcott, survivors of John H. Manny —	Appeal from the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois and was argued by counsel — On consideration whereof, it is now here ordered, adjudged and decreed, by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

Pr Mr Jus: Grier. —

Dissenting Mr: Jus: Daniel

86.	James Williams' adm' vs Robert Oliver's Exors and.	The argument of these cases was continued by Messrs Campbell and Johnson of Counsel for Oliver's Executors.
87.	Robert Oliver's Exors vs James Williams' adm'	

92	John Gooding's adm' vs Robert Oliver's Exors and.	The argument of these cases was continued by Messrs Campbell & Johnson of Counsel for Oliver's Executors.
93	Robert Oliver's Exors vs John Gooding's adm'	

Proclamation being made the Court is adjourned until to morrow morning at eleven O'clock.

Friday April 23d 1858

Pursuant to adjournment the Court met this morning at the Capitol.—

Present.)

The Honorable	Roger B. Taney,	Chief Justice,
	John McLean	
	James M. Wayne	
	Peter V. Daniel	Associate
	Samuel Nelson	Justices
	Robert C. Grier	
	John A. Campbell	
	Nathan Clifford	

William Selden, Esquire, Marshal,
William Thomas Carroll, Clerk.—

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Nelson — it is ordered that George L. Davis Esquire, of New York be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.—

The Rector of Christ Church in the City of Philadelphia, in trust for Christ Church Hospital vs 13. Jeliff in Co The County of Philadelphia.	Mr Phillips in behalf of the Counsel of the respective parties having filed Several stipu-

-lations to amend the record in this cause and to reinstate this case on the docket, Now here moved the Court to rescind and vacate the judgement entered in this cause on the 30th of December last, dismissing this cause for the want of jurisdiction as to the same. Whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

The United States, pltffs in Er vs 68 James Collier.	Mr Winton in behalf of Mr Coffin of Counsel for the defendant

in error moved the Court for leave, to the Clerk to issue a mandate in this case as soon as the same could be prepared.

On consideration whereof, no special cause for the leave being shown to the Court it is now there ordered by the Court that the said motion be and the same is hereby overruled. –

86.	James Williams' admt vs Appe Robert Oliver's Exors and Robert Oliver's Exor vs Appt James Williams admr	The argument of these cases was concluded by Mr Martin of Counsel for the Williams' administrator.
87.		
92.	John Gooding's admt vs Appt Robert Oliver's Exors and Robert Oliver's Exor vs Appt John Goodings admt	The argument of these cases was concluded by Mr Martin of Counsel for Gooding's administrator.
93.		

Proclamation being made the Court is adjourned until to monday morning at eleven O'clock.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable	Roger B. Taney,	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Robert C. Grier	
	John A. Campbell	
	Nathan Clifford	

William Selden, Esquire, Marshal
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr Benjamin - it is ordered that Henry Melville Fuller Esquire, of Massachusetts be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.-

On consideration whereof, no special cause for the leave being shown to the Court it is now here ordered by the Court that the said motion be and the same is hereby overruled. –

86.	James Williams' admr vs Appe Robert Oliver's Exrs and Robert Oliver's Exrs vs Appe James Williams admr	The argument of these cases was concluded by Mr Martin of Counsel for the Williams' administrator.
87.		
92.	John Gooding's admr vs Appe Robert Oliver's Exrs and Robert Olivers Exrs vs Appe John Goodings admr	The argument of these cases was concluded by Mr Martin of Counsel for Gooding's administrator.
93.		

Proclamation being made the Court is adjourned until to monday morning at eleven O'clock.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable	Roger B. Taney,	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Robert C. Grier	
	John A. Campbell	
	Nathan Clifford	

William Selden, Esquire, Marshal
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr Benjamin - it is ordered that Henry Melville Porter Esquire, of Massachusetts be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

61.	Timothy S. Goodman. Pltff in Er vs John Simonds.	In error to the Circuit Court of the United States for the District of Missouri.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Missouri and was argued by Counsel - On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby reversed with costs and that this cause be and the same is hereby remanded to the said Circuit Court with directions to award a venire facias de novo.

Per Mr. Justice Clifford.

13.	The Rector &c of Christ Church in the City of Philadelphia, in trust for Christ Church Hospital vs Pltff in Er The County of Philadelphia	On consideration of the motion made in this cause last Friday and of the stipulation

and arguments of the respective Counsel filed therein - It is now here ordered by this Court that the said motion be and the same is hereby overruled. -

88. Alfred Ingraham et al assignees &c - Appts
vs
Moses Groves' Admr et al

The argument of this cause was commenced by Mr Hambridge of Counsel for the appellants and continued by Mr Benjamin of Counsel for the appellees.

Proclamation being made the Court is adjourned until to morrow morning at eleven o'clock.

Tuesday April 27th 1858.

Pursuant to adjournment the Court met this morning at the Capitol.

Present,

The Honorable	Roger B. Taney,	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Robert C Grier	
	John A. Campbell	
	Nathan Clifford	

William Selden, Esquire, Marshal,
William Thomas Carroll, Clerk.—

Proclamation being made the Court is opened

88. Alfred Ingraham et al assignees &c. Appts
vs
Moses Groves' adm'rat

The argument of this cause was continued by Mr Benjamin for the appellees and concluded by Mr Reverdy Johnson of counsel for the appellants.—

89. Taylor Brown - petitioner
vs
L. M. Wiley & al: respondents

The argument of this cause was commenced by Mr Larocque of counsel for the defendants in error.

Proclamation being made the Court is adjourned until to morrow morning at eleven o'clock.

Wednesday April 28th 1858.

Pursuant to adjournment the Court met this morning at the Capitol—

Present,

The Honorable	Roger B. Taney,	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Robert C. Grier	
	John A. Campbell	
	Nathan Clifford	

William Selden, Esquire, Marshal,
William Thomas Carroll, Clerk.—

Proclamation being made the Court is opened.

89.	Taylor Brown - plff in Er. vs L. M. Wiley & Co.	The argument of this cause was concluded by Mr Reverdy Johnson of Counsel for the plaintiff in error.

4	The Ocean Tow Boat Company &c vs Appts The Ship Ocean Queen & Steamship Crescent City. And The owners of the Ship Ocean Queen vs Appts 9. The owners of the Ship Crescent City.	The argument of these cases was commenced by Mr Benjamin of Counsel for the Ocean Tow Boat Company.
90.	John Figerson - plff in Er vs Edward Mathews -	The argument of this cause was commenced by Mr Cushing of Counsel for the plaintiff in error, continued by Mr Blair of Counsel for the defendant in error and concluded by Mr Gillet of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until to morrow morning at eleven o'clock. -

Thursday April 29th 1858.

Pursuant to adjournment the Court met this morning at the Capitol.

Present,

The Honorable	Roger B. Taney,	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Robert C. Grier	
	John A. Campbell	
	Nathan Clifford	

William Selden Esquire, Marshal.
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr Phillips it is ordered that Godard Bailey Esquire of Alabama be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

4. The Ocean Tow Boat Company vs The Ship Ocean Queen & Steamship Crescent City. — And

9. The owners of the Ship Ocean Queen vs The owners of the Steamship Crescent City.

The argument of these cases was continued by Mr Cushing of Counsel for the owners of the Steamship Crescent City and concluded by Mr Benjamin of Counsel for the Ocean Tow Boat Company.

91. Ranson Gardner et al vs William L. Mossel et al

On the motion of Mr Seward of Counsel for the plaintiff in error, it is now here ordered by the Court that this cause be and the same is hereby continued to the next term of this Court.

94. James Marks - Plff in Er vs Michael Dickson et al

The argument of this cause was commenced by Mr Benjamin of Counsel for the plaintiff in error,

and continued by Mr Taylor of Counsel for the defendants in error.

Proclamation having made the Court is adjourned until to morrow morning at eleven O'clock.

Friday April 30th 1858.

Pursuant to adjournment the Court met this morning at the Capitol.

Present,

The Honorable	Roger B. Taney,	Chief Justice.
	John McLean	
	James M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices.
	Samuel Nelson	
	Robert C. Grier	
	John A. Campbell	
	Nathan Clifford	

William Selden, Esquire, Marshal,
William Thomas Carroll, Clerk.

Proclamation being made the Court is open

On motion just made in the Court on this behalf by Mr Miles Taylor - it is ordered that Mark M. Potter, Esquire of Texas be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

The United States - Appts vs The Guadalupe Mining Comp'y 274	Mr Brent of Counsel for the appellees proceeded to read the motion

filed in this cause on the 26th instant and to show cause why this case should be heard before No 187 is decided - On consideration whereof, it is now here ordered by the Court that the said motion be and the same is hereby overruled.

The United States - Appts vs Charles Fossatt - 187	Appeal from the District Court of the United States for the Northern District

of California -

This cause came on to be heard on the Transcript of the records from the District Court of the United States for the Northern District of California and was argued by Counsel - on consideration whereof, it is now here ordered, adjudged and decreed by this Court that the decree of the said District Court in this cause be and the same is hereby

reversed and that this cause be and the same is hereby remanded to the said District Court with directions to that Court to enter a decree in this cause in conformity to the opinion of this Court.—

Opn. Mr Chief Justice Taney having been indisposed did not sit in this cause.)

94 James Marks. plff in Er
vs
Michael Dickson et al

The argument of this cause was continued by Mr Taylor for the defendants in error and concluded by Mr Benjamin for the plaintiff in error.

95. Charles Bullance. plff in Er
vs
Joseph L. Tapin et al

Mr Williams of Counsel for the defendants in error now here moved the Court to dismiss this cause for the want of a citation and argued in support thereof, which was opposed by Mr Key Howard Johnson and Bullance of Counsel for the plaintiff in error—

Whereupon this Court not being now fully sufficiently advised of and concerning what order to render in the premises took time to consider.

96.	Charles Ballance pltff in Er vs Samuel Hash et al	Mr Williams of Counsel for the defendant in error now

here moved the Court to dismiss this cause for the want of a citation and argued in support thereof, which was opposed by Messrs Reverdy Johnson and Ballance of Counsel for the plaintiff in error — Whereupon this Court not being now fully sufficiently advised of and concerning what order to render in the premises took time to consider. —

97.	James Barton pltff in Er vs Robert Forsyth	Mr Williams of Counsel for the defendant in error moved

the Court to dismiss this cause because neither the writ of error was issued nor

the appeal bond executed by the plaintiff in error on ak his instance, and argued in writing - which was opposed by Messrs Reverdy Johnson and Ballance of Counsel for the defendant in error. Whereupon this Court not being now fully advised of and concerning what order to Order in the premises took time to consider.

98	John Reynolds use &c Plffs vs Robert Forsyth	Mr Williams of Counsel for the defendant, in error now

here moved the Court to dismiss this cause for the want of a citation and argued in support thereof which was opposed by Messrs Reverdy Johnson and Ballance of Counsel for the plaintiffs in error - Whereupon this Court not being now fully advised of and concerning what order to order in the premises took time to consider.

99	William Kellogg - plff in Er vs Robert Forsyth -	Mr Williams of Counsel for the defendant in error now here moved the Court to dismiss this cause for the want of a citation and argued in support thereof - which was opposed by Mess^rs Reverdy Johnson and Ballance of Counsel for the plaintiff in error. - Whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider. -

100	Richard Gregg - plff in Er vs Edward P. Tesson	Mr Williams of Counsel for the defendant in error now here moved the Court to dismiss this cause for the want of a citation and argued in support thereof - which was opposed by Mess^rs Reverdy Johnson and Ballance of Counsel for the plaintiff in error. Whereupon this Court not being now here sufficiently advised

of and concerning what order to render in the premises took time to consider.

112.	Thomas Buchanan Appt vs Robert Forsyth —	Mr Williams of Counsel for the defendant in error moved.

the Court to dismiss this cause because no appeal had been allowed nor any citation issued in the case and argued in support thereof which was opposed by Messrs Reverdy Johnson and Ballance of Counsel for the plaintiff in error - Whereupon this court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.—

115.	Charles Ballance Appt vs Robert Forsyth et al -	Mr Williams of Counsel for the appellee now here moved.

The Court to dismiss this cause for the want of a citation and argued in support thereof - which was opposed

by Mess^rs Reverdy Johnson and Ballance of Counsel for the appellant - whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider. -

118 James O'Connor - plff in Er
vs
Robert Forsyth -

Mr Williams of Counsel for the defendant in error moved the Court to dismiss this cause because there was no writ of error or citation in the case and argued in support thereof - which was opposed by Mess^rs Reverdy Johnson and Ballance of Counsel for the plaintiff in error - whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

Proclamation being made the Court is adjourned until Monday morning at eleven o'clock. -

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable	Roger B. Taney,	Chief Justice.
	John McLean	
	John Catron	
	Peter V. Daniel	Associate
	Samuel Nelson	Justices
	Robert C. Grier	
	John A. Campbell	
	Nathan Clifford	

William Selden Esquire, Marshal,
William Thomas Carroll Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Crittenden it is ordered that Aylett Buckner Esquire, of Missouri be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

70.	Francis Warner - pltff in Er vs Chas H. Norton, Albert Smith, Benjamin C. Bushby, John C Sheets, John F. Sheets, Isaac N. Phelps and James Beeman	In error to the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois and was argued by Counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs and interest at the same rate per annum that similar judgments bear in the Courts of the State of Illinois until paid.

Opr Mr Justice McLean.

95. Charles Ballance plff in Er
vs
Joseph L. Papin et al

On the motion of Mr Ballance the plaintiff in error, it is now here considered and ordered by the Court that this cause be and the same is hereby continued to the next term of this Court.

96. Charles Ballance plff in Er
vs
Samuel Hurt et al

On the motion of Mr. Ballance the plaintiff in error, it is now here considered and ordered by the Court that this cause be and the same is hereby continued to the next term of this Court.

98. John Reynolds et al plff in Er
vs
Robert Forsyth

On the motion of Mr. Ballance of Counsel for the plaintiff in error, it is now here considered and ordered by the Court that this cause be and the same is hereby continued.

to the next term of this Court.—

99.	William Kellogg - plff in Er vs Robert Forsyth —	On the motion of Mr Ballance of Counsel for the plaintiffs in error, it is now here considered and ordered by the Court that this cause be and the same is hereby continued to the next term of this Court.

100.	Richard Gregg, plff in Er vs Edward P. Jesson	On the motion of Mr Ballance of Counsel for the plaintiff in error, it is now here considered and ordered by the Court that this cause be and the same is hereby continued to the next term of this Court.

101.	Thomas Meehan et al - plff in Er vs Robert Forsyth —	On the motion of Mr Ballance of Counsel for the plaintiffs in error, it is now here considered and

ordered by the Court that this cause be and the same is hereby continued to the next term of this Court. –

97 James Barton – plff in Er
vs
Robert Forsyth –

On consideration of the motion to dismiss the writ of error, made in this cause by Mr Williams of counsel for the defendant in error, on a prior day of the present term of this Court, to wit; on Friday the 30th ultimo and of the arguments of counsel thereupon had, as well in support of as against the said motion – it is now here ordered by the Court that the said motion be and the same is hereby overruled.

102. David Morland – plff in Er
vs
Jeremiah Page –

The argument of this cause was commenced by Mr Carlisle of counsel for the plaintiff in error, continued by Mr Brodie of counsel for the defendant in error and concluded

by Mr Badger of counsel for the plaintiff in error.

97. James Barton - pff in Er
vs
Robert Forsyth. ...

The argument of this cause was commenced by Mr Ballance of Counsel for the plaintiff in error.

Proclamation being made The Court is adjourned until to morrow morning at eleven o'clock. -

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable	Roger B. Taney,	Chief Justice
	John McLean	
	John Catron	
	Peter V. Daniel	Associate
	Samuel Nelson	Justices.
	Robert C. Grier	
	John A. Campbell	
	Nathan Clifford	

William Selden, Esquire, Marshal,
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. James J. Brown. - it is ordered that E. Mariner, Esquire, of Wisconsin be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly. -

255	The United States - Appts vs Andres Pico....	Appeal from the District Court of the United States for the Northern

District of California.-

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of California and on the motion of Mr Attorney General Black of Counsel for the appellants to dismiss this appeal - On consideration whereof, it is now here ordered, adjudged and decreed by this Court that this cause be and the same is hereby dismissed.

per Mr Ch: Jus. Taney.-

11.	Charles W. Gazzam - pl'ffs in Er vs Elam Phillips and Mary his wife and Ashby W. Etheridge	In error to the Supreme Court of the State of Alabama

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Alabama

and was argued by Counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be and the same is hereby reversed with costs and that this cause be and the same is hereby remanded to the said Supreme Court in order that a venire facias de novo may be awarded therein and that further proceedings may be had therein in conformity to the opinion of this Court.

(per Mr Justice Nelson.)

54. Horace B. Silsby, Washburn Rae, Abel Downs, Horace Vernon & Edward Mynderse vs Elisha Foote. Sup. Ct.

Appeal from the Circuit Court of the United States for the District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of New York and was argued by Counsel. On consideration

thereof, it is the opinion of this Court that so much of the decree of the said Circuit Court in this cause as allows the complainant costs and the sum of $5663.82/100 for interest is erroneous - Whereupon it is now here ordered, adjudged and decreed by this Court that so much of the said decree as allows the complainant costs and the aforesaid interest on the profits found for him be and the same is hereby reversed and annulled. And it is further now here ordered, adjudged and decreed by this Court that the residue of the decree of the said Circuit Court in this cause be and the same is hereby affirmed and that each party pay their own costs in this Court.

Opn by Mr Jus: Nelson. -

Dissenting - Mr Jus Grier & Mr Justice Daniel. -

Mr Chief Justice Taney having been indisposed did not sit in this cause. -

67

The People's Ferry Company of Boston Claimants of the Steam boat Jefferson &c
vs
Joseph Beers and David Cranmer assignees of B. C. Terry

Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby reversed with costs and that this cause be and the same is hereby remanded to the said Circuit Court with direction to dismiss the libel in this cause for the want of jurisdiction.

Per Mr Jus: Catron. —

Mr Chief Justice Taney having been indisposed did not sit in this cause. —

103.	Patrick Rives & Isaac Walker vs Adolph Papin.	In error to the Supreme Court of the State of Missouri.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Missouri and it appearing to the Court that the writ of error is defective and the case irregularly brought up. It is thereupon now here ordered and adjudged by this Court that this cause be and the same is hereby dismissed for the want of jurisdiction.

Ord. Mr Ch: Jus Taney.

97.	James Martin - plff in Er vs Robert Forsyth.	The argument of this cause was continued by Mr Ballance for the plaintiff in error and by Mr Williams of Counsel for the defendant in error.

Proclamation being made the Court is adjourned until to morrow morning at eleven o'clock.

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104

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable	Roger B. Taney	Chief Justice
	John McLean	
	John Catron	
	Peter V. Daniel	Associate
	Samuel Nelson	Justices
	Robert C. Grier	
	John A. Campbell	
	Nathan Clifford	

William Seaton, Esquire, Marshal,
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened.

James Martin -- pltff in Er vs Robert Forsyth --	The argument of this cause was concluded by Mr Reverdy Johnson of Counsel for the plaintiff in error
Enoch Mc Paul -- pltff in E vs James C. Ramsay --	The argument of this cause was commenced

by Mr Reverdy Johnson Junior of Counsel for the plaintiff in error & continued by Mr Norris of Counsel for the defendant in error. —

Proclamation being made the Court is adjourned until to morrow Morning at eleven o'clock.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable	Roger B. Taney,	Chief Justice.
	John McLean	
	John Catron	
	Peter V. Daniel	Associate
	Samuel Nelson	Justices
	Robert C. Grier	
	John A. Campbell	
	Nathan Clifford.	

William Selden Esquire, Marshal.
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Seward - it is ordered that Henry Richardson Esquire of New York be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

104	Eneas McPaul pltff in Er vs James b. Ramsey ...	The argument of this cause was concluded by Mr Rowsey Johnson of Counsel for the plaintiff in error.

107	Thomas McCargo pltff in Er vs John L. Chapman	The argument of this cause was commenced by Mr Bradley of Counsel for the plaintiff in error continued by Mr Badger of Counsel for the defendant in error and concluded by Mr Bradley for the plaintiff in error.

108	William Holcombe pltff in Er vs John McKusick et al	The argument of this cause was commenced by Mr Bradley of Counsel for the plaintiff in error and continued by Mr Gillet of Counsel for the defendant in error.

Proclamation being made the Court is adjourned until to morrow Morning at eleven o'clock.

Pursuant to adjournment the Court met this morning at the Capitol.

Present,

The Honorable	Roger B. Taney,	Chief Justice
	John McLean	
	John Catron	
	Peter V. Daniel	Associate
	Samuel Nelson	Justices
	Robert C. Grier	
	John A. Campbell	
	Nathan Clifford	

William Seldon, Esquire, Marshal,
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened.

Richard Gregg vs Plff in Er
vs
Robert Forsyth

203

On the motion of Mr Williams of Counsel for the defendant in error, it is now here ordered by the Court that his motion to dismiss this writ of error filed on the 6th instant be, and, with the assent of Mr Ballance of Counsel for the plaintiff in error, the same is

hereby continued to the next term of this Court.

204	John Dredge vol-bl'ffin Er vs Robert Forsyth.	On the motion of Mr Williams of Counsel for the defendant in error, it is now here ordered by the Court that the motion to dismiss this writ of error filed the 6th instant be, and with the assent of Mr Ballance of Counsel for the plaintiff in error, the same is hereby continued to the next term of this Court.
205	Richard Gregg - bl'ffin Er vs William F. Bryant	On the motion of Mr Williams of Counsel for the defendant in error, it is now here ordered by the Court that his motion to dismiss this writ of error filed on the 6th instant be, and with the assent of Mr Ballance of Counsel for the plaintiff in error, the same is hereby continued to the next term of this Court.

The Owners & Claimt. of the Steamboat Hugh Jenkins val 118 vs Appts George W. Sawyer val	On the motion of Mr Ashton of Counsel for the appellees it is now here ordered by the Court that his motion to dismiss the appeal in said filed this date be and the same is hereby set down for argument on next Friday the 14th instant.
The United States. Appts 269 vs James R. Bolton	On the motion of Mr. C.M. Hamphill it is now here ordered by the Court that the motion of the Mfp. Hamphill to dismiss this appeal filed this date be and the same is hereby set down for argument on next Friday the 14th instant.
The City of New Orleans- 336 vs pltff in Er Myra Clark Gaines-	The motion filed in this case on the 7th ultimo to dismiss this appeal by Mr Phillips was now argued by him in support thereof and by Mr Benjamin

Friday May 7th 1858. Continued

of Counsel for the appellant in opposition thereto. Whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

William Holcombe - pltff in Er. vs John McKissick et al	The argument of this cause was continued by Messrs Gillet and Bushing of Counsel for the defendant in error and concluded by Mr Bradley of Counsel for the plaintiff in error.

108.

Proclamation being made the Court is adjourned until Monday morning at eleven o'clock.

Pursuant to adjournment the Court met this morning at the Capitol.

Present,

The Honorable	Roger B. Taney,	Chief Justice.
	John McLean	
	James M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Robert C. Grier	
	John A. Campbell	
	Nathan Clifford	

William Selden, Esquire, Marshal,
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Reverdy Johnson - it is ordered that Robert H. Howard and George W. Paschal Esqrs of Texas be admitted to practice as Attorneys and Counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr Benjamin - it is ordered that Daniel D. Atchison Esquire of Texas be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

Mr Chief Justice Taney, announced to the Bar that the Court will adjourn Thursday week the 20th instant, that it will not hear arguments in any case on the merits after next Wednesday, and that it hear motions next Friday.

James Stinson - pltff in Er		On error to the
78	vs	Supreme Court of
Hercules L. Dousman		the Territory of
		Minnesota.

This cause on to be heard on the transcript of the record from the Supreme Court of the Territory of Minnesota and was argued by Counsel - On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in

this cause be and the same is hereby affirmed with costs and interest at the rate of six per cent per annum, until paid. —

Ps Mr Justice Campbell

Taylor Brown - plff in Er
vs
Leroy M. Wiley, Hugh R Banks, William G. Lane, Henry Van Dorzee & Edward H. Lane, Merchants trading under the name & style of L. M. Wiley & Co

89

In error to the District Court of the United States for the District of Texas.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Texas and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be and the same is hereby affirmed with costs and interest until paid, at the same rate, per annum. that similar-

judgments bear in the Courts of the State of Texas.

Opr Mr: Jus: Grier.

Enoch L. Roberts vs pltff in Er James M. Cooper	53.	In error to the Circuit Court of the United States for the District of Michigan.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Michigan and was argued by Counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

Opr Mr: Jus: Grier.

Francis Selden - Appt vs Lawrence Myers, Philip Pike, Walter Lenox & James L. McGuire.	70	Appeal from the Circuit Court of the United States for the District of Columbia.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Columbia and was argued by Counsel. On consideration whereof, it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

Ap. Mr Ch: Jus Taney -

226 The City of New Orleans Appellant
vs
Myra Clark Gaines

On consideration of the motion made in this cause on a prior day of the present term, to wit, on Friday last the 7th instant and of the arguments of Counsel thereupon had as well in support of as against the motion - it is now here ordered by the Court that the said motion be and the same is hereby overruled. -

Edmund Rice - plff in Er vs 109. The Minnesota & Northwestern Railroad Company	Mr Attorney General Black moved the Court for leave to intervene in this

case in behalf of the United States and to dismiss this writ of error or to continue this case to the next term of this Court - Which was opposed by Messrs Noyes & Reverdy Johnson of Counsel for the defendants in error - On consideration whereof, it is now here ordered and adjudged by this Court that said motion comes too late and that the same be and hereby is overruled.

Proclamation being made the Court is adjourned until to morrow morning at eleven o'clock.

Pursuant to adjournment the Court met this morning at the Capitol.

Present,

The Honorable	Roger B. Taney,	Chief Justice
	John McLean	
	James M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices.
	Samuel Nelson	
	Robert C. Grier	
	John A. Campbell	
	Nathan Clifford	

William Felden, Esquire Marshal
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened

James H. Ingraham - Plaintiffs	In error to
66 vs	the Circuit
Williamina H. Williamson et al	Court of the
	United States

for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the

Tuesday May 11th 1858.

Southern District of New York and was argued by Counsel — On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

Opr Mr. Jus. Clifford.

109.	Edmund Rice - plff in Er vs The Minnesota & Northwestern Railroad Company	In error to the Supreme Court of the Territory of Minnesota.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Minnesota, and it appearing to the Court upon an inspection thereof that this Court has not jurisdiction of this case as brought up here it is thereupon now here ordered and adjudged by this Court that this cause be and the same is hereby dismissed for the want of jurisdiction.

Opr Mr Ch: Jus: Taney.

146 Enoch McCarty plff in Er
vs
Guernsey G. Rockwell

In error to the Circuit Court of the United States for the District of Indiana.

Mr Gillet of counsel for the defendants in error having suggested the death of Enoch McCarty the plaintiff in error now here moved the Court for an order of publication under the 28th rule of Court, to make the proper representatives parties - On consideration whereof it is now here ordered by this Court that unless the proper representatives of the said Enoch McCarty, dec'd shall voluntarily become parties within the first ten days of the ensuing term, the defendants in error shall be entitled to have the record and have the judgment (assigned) if it be not erroneous - Provided that a copy of this order shall be printed in some newspaper at the seat of Government in which the laws of the United States shall be printed by authority, for three successive weeks, at least sixty

days before the beginning of the term of the Supreme Court next ensuing.

Thomas Maguire Claimt of the Steamer Goliah - Appt vs 110 Stephen Bard.	The argument of this cause was commenced by Mr Blair of Counsel for the appellant, continued by Mr Doyle of Counsel for the appellee and concluded by Mr Blair for the appellant.

Proclamation being made the Court is adjourned until Friday next at eleven O'Clock.

Friday May 14th 1858.

Pursuant to adjournment the Court met this morning at the Capitol.

Present,

The Honorable	Roger B. Taney	Chief Justice
	John Mc Lean	
	James M. Wayne	
	John Catron	Associate
	Peter V. Daniel	Justices
	Samuel Nelson	
	Robert C. Grier	
	John A. Campbell	
	Nathan Clifford	

William Selden, Esquire, Marshal.
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Phillips it is ordered that Sydenham Moore, Esquire of Alabama be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

Friday May 14th 1858. Continued

On motion first made to the Court in this behalf by Mr Vinton - it is ordered that Leonard W. Goddard Esquire of New York be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr Gilbert - it is ordered that Edward M. McGook Esquire of Minnesota be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr Wm Schley - it is ordered that John Stewart Esquire of Maryland be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

77. John B. Irvine - Appt.
vs
William R. Marshall & Thomas Barton.

Appeal from the Supreme Court of the Territory of Minnesota.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Minnesota and was argued by counsel - On consideration whereof, it is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be and the same is hereby reversed with costs, and that this cause be and the same is hereby remanded to the said Supreme Court with instructions that it be remitted to the District Court, with permission to the defendant to answer over to the complaint of the plaintiffs, in the event of a refusal or failure of the defendant so to do, with directions to the District Court to render a decree in favor of the plaintiffs and in conformity with the law as ruled by this Court in this cause.

Mr Justice Daniel
Dissenting - Mr. Justice Catron
" " Nelson
" " Grier
" " Campbell

81	Joseph D. Bass, use of William A. Katenius as adm'r of James Holford dec'd pltffs in Er vs The State of Arkansas	In error to the Supreme Court of the State of Arkansas.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Arkansas and was argued by Counsel - On consideration whereof, it is now here ordered and adjudged by this Court that this cause be and the same is hereby dismissed for the want of jurisdiction -

Ch. Jus. Taney

82	William A. Katenius, adm'r of James Holford, dec'd pltff in Er vs The State of Arkansas	In error to the Supreme Court of the State of Arkansas.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Arkansas and was argued by Counsel - On consi-

duration whereof it is now here ordered and adjudged by this Court that this cause be and the same is hereby dismissed for the want of jurisdiction.

Cps Mr Ch: Jus: Taney

William A. Watkins adm'r of James McLyna, dec'd

vs

Joseph Griffin & The State of Arkansas

83.

Error to the Supreme Court of the State of Arkansas.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Arkansas and was argued by Counsel — On consideration whereof it is now here ordered and adjudged by this Court that this cause be and the same is hereby dismissed for want of jurisdiction.

Cps Mr Ch: Jus: Taney.

84 The President and Directors of the Bank of Washington & Henry S. Holford and Frederick S. Holford adm^rs &c of James Holford dec^d
vs
The State of Arkansas and Henry L. Biscoe, Sandford C. Faulkner & James H. Walker

On error to the Supreme Court of the State of Arkansas.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Arkansas and was argued by Counsel - On consideration whereof, it is now here ordered adjudged and decreed by this Court that this cause be and the same is hereby dismissed for the want of jurisdiction

per Mr. Ch. Jus. Taney. -

85 The President & Directors of the Bank of Washington & Henry S. Holford & Frederick S. Holford adm^rs &c of James Holford dec^d
vs Writ of Error in the
The State of Arkansas & the Bank of the State of Arkansas -

On error to the Supreme Court of the State of Arkansas.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Alabama and was argued by Counsel - On consideration whereof, it is now here ordered, adjudged and decreed by this Court that this cause be and the same is hereby dismissed for the want of jurisdiction.

Opr Mr: Ch: Jus: Taney.

Alfred Ingraham & George Read, assignees in trust of the Grand Gulf Railroad & Banking Company. Appts

vs.

Henry J. Lawson admr of Moses Groves dec'd, Josiah Stansbrough & Thos Ballastor.

Appeal from the Circuit Court of the United States for the Eastern District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Louisiana and was argued by Counsel - On consideration whereof, it is now here ordered, adjudged

and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

Ord Mr: Justice Catron

90	John Figerson - plff in Er vs Edwards Matthews	In error to the Circuit Court of the United States for the District of Missouri.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Missouri and was argued by Counsel - On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Missouri. -

Ord Mr: Justice McLean

The Owners & Claimants of the Steamboat Hugh Jenkins & the Eastern Shore Steamboat Comp.
118 vs Appeal
George H. Sauzer et al

Appeal from the Circuit Court of the United States for the District of Maryland.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Maryland and on the motion of Mr Schley of Counsel for the appellees and with the assent of Mr Stewart of Counsel for the appellants - it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar decrees bear in the Courts of the State of Maryland.

Cite Mr. Ch. Jus. Taney.

Willis Cook & Lyman S. Cook
168 vs
Merrit H. Furbush and Geo. Crompton -

Error to the Circuit Court of the United States for the District

of Massachusetts.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts, and it appearing to the Court here on the motion of Mr Miller that the Counsel of the respective parties have filed a stipulation that the matters in this suit have been settled between the parties and that this writ of error shall be dismissed, each party bearing his own costs in this Court - On consideration whereof, it is now here ordered and adjudged by this Court that this cause be and the same is hereby dismissed, and that each party pay his own costs in this Court.

Per Mr Ch: Jus: Taney.-

The United States }	Appeal from the
vs	District Court of the
269. James R. Bolton	United States for the
	Northern District of

California.

This cause came on to be heard on the transcript of the record from the District Court of the United States for

the Northern District of California and on the motion of Mr. J. A. Campbell of Counsel for the appellee - it is now here ordered, adjudged and decreed by this Court that the cause be and the same is hereby dismissed.

Ch. Mr. Ch. Jus Taney.

Edmund Rice appellant vs The Minnesota & Northwestern Railroad Company.	On consideration of the suggestion of a diminution of the record in this case and of

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the motion for a writ of certiorari filed in this case yesterday - it is now here ordered by the Court that the said writ be and the same is hereby refused and that the said motion be and the same is hereby overruled -

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The Owners & Claimants of the Steamboat Hough Jenkins & the Easternshore Steamboat Company - appellants vs George H. Sawyer et al	On motion of Mr Johnson of Counsel for the appellees and with the assent of Mr Stewart of Counsel for the

118

applicants - it is now here ordered by the Court that the Counsel for the appellees have leave to withdraw his motion to dismiss this appeal filed in this case on the 7th instant and the same is accordingly with-drawn by him.

Lloyd N. Rogers admr &c vs Joseph E. Law by Mary Robinson his next friend	The motion of Messrs Brent & May to dismiss this cause was argued by Mr Brent in support thereof and by Mr Love in opposition thereto - whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

121

Lloyd N. Rogers admr &c vs Joseph E. Law by Mary Robinson his next friend	The motion of Messrs Brent & May to dismiss this cause was argued by Mr Brent in support thereof and by Mr Love in opposition thereto - whereupon this court not being

124

now thus sufficiently advised of and concerning what order to render in the premises took time to consider. —

Gilbert L. Thompson vs. 57 Selden, Wilcox &c	Mr Gillett of Counsel for the Defendants in this case now moved the Court to strike out the judgment entered in this case on a prior day of the present term of this Court, to wit, on Friday the 25th day of February last and to enter upon judgment thereon nil dicit upon the bond and in the manner set forth in his written motion filed therein. Whereupon the Court not being now thus sufficiently advised of and concerning what order to render in the premises took time to consider.

The United States Appts vs 969 James R. Bolton —	The motion to dismiss this cause was argued by Mr. D.M. Cambbell in support thereof and by Mr Gillett in opposition thereto.

Proclamation being made the Court is adjourned until Tuesday morning next at eleven O'clock

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Tuesday May 18th 1858.

Pursuant to adjournment the Court met this morning at the Capitol.

Present,

The Honorable	Roger B. Taney,	Chief Justice,
	John McLean	
	James M. Wayne	
	John Catron	
	Peter V. Daniel	
	Samuel Nelson	
	Robert C. Grier	
	John A. Campbell	
	Nathan Clifford	

William Selden Esquire Marshal
William Thomas Carroll Clerk.

Proclamation being made the Court is opened.

Thomas A. Snow and Oliver Palmer managers of the Ocean Towboat Company Claimants & owners of the Steam Towboat "Zar" and Oliver Palmer -

4 Vs Apltes

Chas Hill & al owners of the Ship "Ocean Queen" & George Law, Marshal O. Roberts & Bowes R. McElrains. Lessees of the United States mail Steamship Company Claimants & owners of the Steamship "Crescent City".

Appeal from the Circuit Court of the United States for the Eastern District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Louisiana and was argued by Counsel - On consideration whereof, it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby reversed with costs, and that this cause be and the same is hereby remanded to the said Circuit Court with directions to that Court to enter a decree therein in conformity to the opinion of this Court,

Opr Mr Jus. McLean

Charles Hill et al owners of the Ship "Ocean Queen"

v.

vs

Geo. Law, Marshal O. Roberts & Bowes R. M. Elvaine Trustees of the United States Mail Steamship Company, Claimants & Owners of the Steamship "Crescent City".

Appeal from the Circuit Court of the United States for

the Eastern District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Louisiana and was argued by Counsel - On consideration whereof it is now here ordered, adjudged and decreed by this Court That the decree of the said Circuit Court in this cause be and the same is hereby reversed with costs, and that this cause be and the same is hereby remanded to the said Circuit Court with directions to that Court to enter a decree therein in conformity to the opinion of this Court.

Ord Mr. Justice McLean.

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11. James L. Taylor & Samuel L. Taylor admrs of Robert Taylor dec'd Pltffs in Er vs Nathan T. Casey & William L. Ward. — Defts

In error to the Supreme Court of the State of Pennsylvania for the Eastern District.

This cause came on to be heard on the transcript from the Supreme Court

of the State of Pennsylvania for the Eastern District and was argued by Counsel — On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be and the same is hereby affirmed with costs. —

Cp. Mr. Jus Campbell
Dissenting Mr Ch. Jus Taney
Mr Jus Wayne
" " Grier
" " Clifford. —

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74 John H. Ahl - Appt
vs
Roswell B. Johnson

Appeal from the Supreme Court of the Territory of Minnesota.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Minnesota and was argued by Counsel — On Consideration whereof, it is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be and the same is hereby reversed

with costs, and that this cause be and the same is hereby remanded to the said Supreme Court with directions to that Court to enter a decree affirming the decree of the District Court in this cause with costs.

Per Mr: Jus: Clifford

	George K. Sampson & Louis H. Tappan doing business under the style & firm of Sampson and Tappan pltffs in Err vs. Charles H. Peaslee Collector of Customs &c	In Error to the Circuit Court of the United States for the District of Massachusetts
80.		

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts and was argued by Counsel - On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be & the same is hereby affirmed with costs and interest until paid at the same

rate per annum that similar judgments bear in the Courts of the State of Massachusetts.

Ch. Jus: Wayne.

Dissenting - Mr Jus: Grier.

John S. Williams adm's of James Williams - Apps		Appeal from the Circuit Court of the United States for the District of Maryland
86	vs	
Robert M. Gibbes & Charles Oliver, surviving Exors of Robert Oliver, deceased		

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Maryland and was argued by Counsel - On consideration whereof, it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

Ch Mr: Jus: Nelson

Dissenting - Mr: Jus: Grier

87. Robert M. Gibbes & Wards Oliver surviving Exrs of Robt Oliver dec'd Apltes
vs
John S. Williams admr of James Williams, dec'd

Appeal from the Circuit Court of the United States for the District of Maryland.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Maryland and was argued by counsel. On consideration whereof, it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

Chf Jus. Taney
Dissenting Mr Jus. Grier

92. William Rochester Wyle, admr de bonis non of Edw Harding deceased. Apltes
vs
Robert M. Gibbes & Chas Oliver surviving Exrs of Robt Oliver, dec'd

Appeals from the Circuit Court of the United States for the District of

Maryland.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Maryland and was argued by Counsel - On consideration whereof it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

Ps Mr Jus: Nelson

Dissenting Mr: Jus: Grier

Robert M. Gibbes & Charles Oliver surviving Exrs of Robert Oliver dec:

vs

William Pinkney White adms de bonis non of John Gooding dec:

93. Appts

Appeal from the Circuit Court of the United States for the District of Maryland.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Maryland, and was argued by Counsel - On consideration

whereof it is now ordered, adjudged and decreed by this court that the decree of the said Supreme Court in this cause be and the same is hereby affirmed with costs.

Dissenting } Pr Mr Jus: Nelson
Mr Jus: Grier. }

James Marks Jeffries 94 vs Michael Dickson & Elizabeth M. Dickson.	In Error to the Supreme Court of the State of Louisiana at Monroe

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Louisiana at Monroe and was argued by Counsel - On consideration whereof, it is now ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be and the same is hereby affirmed with costs.

Pr Mr. Jus: Catron

James Barton plff in Er vs 47. Robert Forsyth —	In error to the Circuit Court of the United States for the North. Dist. of Illinois and was argued by Counsel — On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs. —

Opr Mr Ch. Jus. Taney.

David Moreland & plff in Er vs 102 Jeremiah Page	In error to the Supreme Court of the State of Iowa.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Iowa and was argued by Counsel — On consideration whereof, it is now here ordered and adjudged by this Court that this cause be and the same is hereby dismissed for the want of jurisdiction. —

Opr Mr. Jus. Grier. —

104	Thomas McKune — pltff in Er vs James L. Ramsey —	In Error to the District Court of the United States for the District of Iowa.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Iowa and was argued by Counsel — On consideration whereof, it is now here ordered & adjudged by this Court that the judgment of the said District Court in this cause be and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Iowa

Ch. Jus. Taney.

107	Thomas McCargo - pltff in Er vs John L. Chapman.	In error to the Circuit Court of the United States for the Southern District of Mississippi.

This cause came on to be heard

Tuesday May 18th 1858. Continued

on the transcript of the record from the circuit court of the United States for the Southern District of Mississippi and was argued by counsel — On consideration whereof, it is now here ordered and adjudged by this Court that this cause be and the same is hereby dismissed for the want of jurisdiction. —

Opr Mr. Jus McLean.

William Holcombe - plff in Er
vs
John McKusick, Jonathan C. McKusick, Christopher Carle, Horace K McKinstry, Elias McKean and Joseph C. York.

In error to the Supreme Court of the Territory of Minnesota.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Minnesota and was argued by Counsel — On consideration whereof, it is now here ordered and adjudged by this Court that this cause be and the same is hereby dismissed for the want of jurisdiction. Opr Mr. Jus: Nelson.

Thomas Maguire Claim't &c the Steam Yacht - Appt 110 vs Stephen Cards	It is now here ordered by the court that this cause be held under advisement and that the same be and hereby is continued until the next term. —

Order of Court.

Gilbert L. Thompson - pltff in Er vs Selden, Walthers & Co -	It appearing to the satisfaction of the Court that there is a clerical error in the transcript of the record transmitted to this Court upon the writ of error - in having a blank in the judgment of the Circuit Court in which the word "thousand" should have been inserted in conformity to the judgment rendered in the Circuit Court - and a certificate from the Clerk, stating the error committed by him, having since been filed by the defendants in error. It is thereupon on motion of the Counsel for the defen-

-dants in error - and upon proof that due notice had been given to the Counsel for the plaintiff in error, ordered by the Court that the judgment of affirmation heretofore rendered in this Court at the present term be stricken out and that the clerical error above mentioned, in the transcript, be corrected by inserting the word "thousand" in the blank, according to the certificate of the Clerk of the Circuit Court now filed - and that judgment be entered on the record as amended affirming the judgment of the Circuit Court. -

(per Mr Ch. Jus. Taney. -

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187 The United States Appt vs Charles Gopat

On the motion of Mr Bayard it is now ordered by the Court that the Clerk may issue a mandate in this case as soon as the same can be prepared.

188. Andrew A. Blackman, claim. of Schooner A. L. Crawford — vs Appt. Dominique Gerair —

And now May 18th 1858. upon application of George M. Wharton and William H. Hall Counsel for the appellant for a rule as follows, viz:

For leave to file a supplimental answer de bene esse such answer setting forth the fact of the total loss of the Schooner "A. L. Crawford" by the perils of the sea subsequently to the decree appealed from; and for leave to enter a rule to take testimony in support of such supplimental answer under the twenty seventh rule of this Court. —

The Court grant a rule upon the appellees to show cause why the said application should not be granted — Rule returnable on the first Friday of the next term. —

Ex parte: In the matter of Franklin Ransom and Uzziah Wenman. vs pltffs The Mayor &c of the City of New York. —

Motion of Mr Keller of Counsel for the plaintiffs in this case for a mandamus to the Circuit Court of the United States for the Southern District of New-York —

Own consideration of the motion made in this case by Mr Keller it is now hire ordered by the Court that the said writ of mandamus be refused and that the said motion be and the same is hereby overruled. —

Per Mr Jus: Nelson. —

36. J. M. Mattingly surve vs Apltz David H. Boyd's admr

Mr Bushing of Counsel for the appellee having filed and read in open Court the following motion, viz: — "And now the defendant comes into Court and says that said cause was argued at said term ex parte in behalf

of the plaintiffs in appeal that defendant engaged counsel namely, the Hon Milton Brown, who prepared and intended to have duly filed a printed Brief in said cause in the defendants behalf; that said Brief was transmitted by mail to be delivered to the Clerk, but was not received in season for that purpose; this defendant is informed that the Court has since then decided the cause in favor of the appellants, reversing the decree below and that a mandate has accordingly issued to the proper Circuit Court of the United States, that defendant is instructed and believes that further consideration upon a hearing in his behalf, would lead the Court to different conclusions in the premises - Wherefore he prays your Honors to grant a rehearing of the cause -

And to that end he further prays that the mandate issued in the cause be recalled.

By C. Cushing - for defts

It is thereupon now here ordered by the Court that the said motion be and the

same is hereby overruled. —

Rule No 64.

Ordered that whenever the plaintiff and defendant in a writ of error pending in this Court, or the appellant or appellee in any appeal, shall at any time hereafter, in vacation and out of Term time, by their respective Attornies who are entered as such on the record, sign and file with the Clerk an agreement in writing directing the case to be dismissed and specifying the terms upon which it is to be dismissed as to costs - and also paying to the Clerk any fees that may be due to him, it shall be the duty of the Clerk to enter the case dismissed and to give to either party which may request it, a copy of the agreement filed - But no mandate or other process is to issue without an order by the Court

Proclamation being made the Court is adjourned to the time and place appointed by law.

At the Capitol of the United States in the City of Washington and District of Columbia being the seat of the National Government of the United States on the first Monday of December being the sixth day of the same month in the year of our Lord one thousand eight hundred and fifty eight, and of the Independence of the United States the eighty third. The Supreme Court of the United States met agreeable to law.

Present

The Honorable	Roger B Taney	Chief Justice
"	John Catron	
"	Peter V Daniel	Associate
"	Samuel Nelson	Justices
"	Robert C Grier	

William Selden, Esquire Marshal.
William Thomas Carroll Clerk.

Proclamation being made the Court is opened

Monday December 6th 1858. Continued.

On motion first made to the Court in this behalf by Mr Chas E Norman it is ordered that E. A Hough Esquire of Michigan be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William Sahley it is ordered that Thomas Donaldson Esquire of Maryland, and Alfred Russell Esquire of Michigan be admitted to practice as Attorneys and Counsellors of this Court and they were severally sworn accordingly

Mr Chief Justice Taney announced to the Bar that the Court would commence the call of the docket tomorrow under the 36th rule.

Proclamation being made the Court is adjourned until to morrow morning at eleven o'clock.

Tuesday December 7th 1858. 1100

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable	Hon. R. B. Taney	Chief Justice
"	John Catron	
"	Peter V. Daniel	Associate
"	Samuel Nelson	Justices
"	Robert C. Grier	

William Allen, Esquire, Marshal
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened

On motion just made to the Court in this behalf by Mr. James T. Brady it is ordered that Alexander H. Rondall Esquire of Wisconsin be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly

1	Stephen C. R. Ableman - plff in Er. Vs. Sherman M. Booth	It is now here ordered by the Court that this

cause be and the same is hereby postponed until No 23 is reached in the regular call of the docket, and that then it be argued in conjunction with No 23. aforesaid.

2	Spalding & Rogers - plffs in Er. Vs. The Corporation of Baton Rouge	Error to the Circuit Court of the United States for the Eastern Dist. of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Louisiana, and it appearing to the Court here that this is the second term at which this cause has been called for argument, and that neither party is now prepared to argue the same, it is considered by the Court that this writ of error should be dismissed at the cost

of the plaintiffs in error, pursuant to the
55th Rule of this Court. Whereupon it
is now here ordered and adjudged by
this Court that this cause be and the
same is hereby dismissed with costs ...
that this cause be and the same is hereby
remanded to the said Circuit Court to
be proceeded in according to law and
justice.

Pr. Mr. Ch. Jus. Taney.

Rufus Allen et al. appts Vs Henry L Hamburg Clk of Hustings Richm"	The argument of this Cause was commenced by Mr. Stanard of Counsel for the appellants, continued by Mr. Alfred Russell of Counsel for the appellee and concluded by Mr. Stanard for the appellant.

3

Proclamation being made the Court is adjourned until to-morrow morning at eleven o'clock.

Wednesday. December 8th 1858.

Pursuant to adjournment the Court met this morning at the Capitol

Present -

The Honorable	Roger B. Taney	Chief Justice
"	John Catron	
"	Peter V. Daniel	Associate
"	Samuel Nelson	Justices
"	Robert C. Grier	
"	Nathan Clifford	

William Selden, Esquire, Marshal.
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened

The Propeller Niagara, Appt. vs. Joseph H. Cordes et al Claimants, Appellees

The argument of this cause was commenced by Mr Shaw of counsel for the Appellants and continued by Mr Clifford Mitchell of counsel for the Appellees.

Proclamation being made the Court is adjourned until 11 o'clock tomorrow morning

Thursday, December 6th 1855.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable	Geo. F. Fuller	Chief Justice
"	John Catron	
"	Peter V. Daniel	
"	Samuel Nelson	Associate
"	Robert C. Grier	Justices
"	John A. Campbell	
"	Nathan Clifford	

William Leiden Esquire Marshal
William Thomas Carroll Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. J. Brown, it is ordered that Samuel A. Smith of Tennessee, and Henry R. Duggan Esquire of New York be admitted to practice as Attorneys and Counsellors of this Court and they were severally sworn accordingly.

On motion first made to the Court in this behalf by Mr. Samuel F. Linton it is ordered that George H. Lindsley Esquire of Ohio be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Samuel A. Smith it is ordered that W. Whit Smith and Daniel P. Holland Esquires of Florida be admitted to practice as Attorneys and Counsellors of this Court and they were severally sworn accordingly

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	The Prophet Niagara Ansel H Bostwick & al. Complts vs. Elijah Joseph H. Cordes Defts	The argument of this cause was concluded by Mr. Brown of Counsel for the Defendants.

5.	The Propeller Niagara Ansel H. Cobb & Claim'ts vs. Appl'ts Lister Sexton & al.	This cause was submitted to the consideration of the Court on the record and the arguments in the last aforesaid case by Mr. Mason of counsel for the appellants and by Mr. Russell of counsel for the appellees.
6	The Covington Draw Bridge Company & al vs. Appl'ts Alexander C. Shepherd & al	This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Col. Smith of counsel for the Appellants.
7.	James Kelly & al pl'ffs in E. vs. Robert Forsyth.	This cause was submitted to the consideration of the Court on the record and printed argument by Mr. Ballance of Counsel for the plaintiffs in error.

Thursday, December 9th 1858, Continued

8	The Erie and Northeast Railroad Company vs Joseph Casey	Pltff's in Er

It having been suggested to the Court upon the call of this case that Mr. Stanton the counsel for the plaintiffs in error, was detained in California by the dangerous illness of a member of his family and no counsel for the defendant in error appearing ready to proceed with the same, it is therefore now here ordered by the Court that this cause be and the same is hereby passed for the present.

9	Wm Richmond, Appt vs The City of Milwaukie, Wal	The argument of this cause was commenced by Mr. J. S Brown of counsel for the appellant, and continued by Mr. Doolittle of counsel for the appellees.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable	Roger B. Taney	Chief Justice
" "	John Catron	
" "	Peter V. Daniel	
" "	Samuel Nelson	Associate
" "	Robert C. Grier	Justices.
" "	John A. Campbell	
" "	Nathan Clifford	

William Selden Esquire Marshal
William Thomas Carroll Clerk.

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Hon. Wm H. Seward it is ordered that Alexander H. Grout, Esquire of New York be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Hon John P. Hale, it is ordered that Simon Stevens Esquire of Pennsylvania be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

	The Commonwealth of Pennsylvania Plff in Er vs Elijah Robins Defr.	Mr Gerhard of counsel for the defendant in error moved the Court for leave to have the record amended in conformity to the Stipulation filed in this cause the 5th day of May last. On consideration whereof it is now ordered by the Court that the transcript of the record of this cause be and the same is hereby amended by annexing thereto and incorporating therewith the papers and words particularly described and set forth in the aforesaid Stipulation.
19		

Ebn B. Ward Survivor of himself & Samuel Ward, dec'd. owners of the Steam-
91 boat Detroit, Appl's
vs.
Charles Thompson

Mr. Alfred Russell of counsel for the Appellant having filed a suggestion of the death of Charles Thompson the Appellee pending this appeal in this Court now here moved the Court for an order on the proper representatives of the said Appellee to be made parties pursuant to the 28th rule of this Court On consideration whereof it is now here ordered by the Court that unless the proper representatives of the said Charles Thompson deceased, shall become parties within the first ten days of the ensuing term of this Court that then the Appellant in this cause shall be entitled to open the record and on hearing to have the decree reversed if it be error Provided that a copy of this order shall be printed in some news paper at the seat of Government in which the laws of the United States

shall be printed by authority, for three successive weeks at least sixty days before the beginning of the next term of this Court.

Edmund Rice pltff in Er. vs. The Minnesota & North western Railroad Company.	Mr Woody Johnson of counsel for the defendants in error having this date filed a motion

No 104
Dec 1857

for the accession of the judgement of this Court at the last term of this Court to wit, on Tuesday the 11th day of May 1858. and for the reinstatement of this case on the docket of this Court. On consideration whereof it is now here ordered by this Court that the said motion be and the same is hereby set down for argument on next Friday the 17th instant.

Orson Richmond Appt vs The City of Milwaukee et al	The argument of this cause was concluded by Mr Brown of counsel for the Appellant

4

10.	Hanson Gardner et al vs. Ylliffe & William S. Ross et al	Gen. Seward of Counsel for the plaintiffs in error moved the Court to postpone this case for the present. Whereupon this Court not being now sufficiently advised of and concerning what order to make in the premises took time to consider.
198	The Union Insurance Company - Ylliffe & vs. John Blair Hoge	This case was submitted to the consideration of the Court on the record and printed arguments by Mr Van Dyke of Counsel for the plaintiffs in error and by Mr Nugent of Counsel for the defendant in error.
17	The Claimants & owners of the Steamer Louisiana vs. Ylliffe & Isaac Fisher et al	The argument of this cause was commenced by Mr Ashley of Counsel for the Appellants

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Proclamation being made the Court is adjourned until Monday morning at eleven o'clock.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable	Roger B. Taney	Chief Justice
" "	John Catron	
" "	Peter V. Daniel	
" "	Samuel Nelson	Associate
" "	Robert C. Grier	Justices.
" "	John A. Campbell	
" "	Nathan Clifford	

William Selden, Esqr. Marshal.
William Thomas Carroll Clerk

Proclamation being made the Court is opened.

On motion just made to the Court in this behalf by Mr. Chas. C. Sherman it is ordered that R. St. Clair Graham Esquire of the Territory of Kansas be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

10.	Ransom Gardner & al vs. Pfff's in er. William S. Hoss & al.	On consideration of the motion made in this case last Friday by Gen'l Howard of counsel for the plaintiffs in error, it is now here ordered by this Court that this cause be and the same is hereby postponed to the foot of the docket.
17.	The Claimants & Owners of the Steamer Louisiana vs. Apfs'd. Isaac Fisher & al	The argument of this cause was continued by Messrs. Wallis and Price of counsel for the appellees and concluded by Mr. Ashley of counsel for the appellants.

Proclamation being made the Court is adjourned until to-morrow morning at eleven o'clock.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable	Roger B Taney	Chief Justice.
"	John Catron	
"	Peter V. Daniel	
"	Samuel Nelson	Associate
"	Robert C. Grier	Justices.
"	John A. Campbell	
"	Nathan Clifford	

William Selden, Esquire Marshal
William Thomas Carroll Clerk

Proclamation being made the Court is opened

Ebenezer Haddock Griffin &	In error to the
vs.	Circuit Court of
Paul Babcock & al	the United States
	for the District

360

of Michigan.

Mr H L Stevens of counsel for the defendants in error having filed and read in open Court the following Stipulation, to wit:

"Circuit Court of the United States for the Seventh Circuit and District of Michigan, to wit -

I, John Winder Clerk of the Circuit Court of the United States for the Seventh Circuit and District of Michigan do hereby certify that in certain cause pending in said Court wherein Paul Babcock, Charles Mackin, Jesse L. Cochran, Charles S. Hanson, Charles G. Barnett, Parker P. Clark, Ira A. Libby, William King, Bainbridge S. Clark and Darius H. Warren were plaintiffs, and Ebe B. Ward was defendant a final judgment in said cause was rendered by the Court on the twenty eighth day of June in the year of our Lord one thousand eight hundred and fifty eight in favor of the said Paul Babcock, Charles Mackin, Jesse L. Cochran, Charles S. Hanson, Charles G. Barnett, Parker P. Clark, Ira A. Libby, William King, Bainbridge S. Clark and Darius H. Warren plaintiffs as aforesaid, whereupon a writ of error was sued out by the said Ebe B. Ward defendant as aforesaid on the fourth

day of July A.D. 1858 and on the said Second day of July A.D. 1858 the said the 13 Hand defendant as aforesaid filed a Bond with Sureties in the Sum of Eight thousand dollars and also a Bond for costs with Sureties in the Sum of Five hundred dollars and thereupon the execution of the said final judgment was suspended and the said Writ of Error has prevailed as a Supersedeas in said cause.

In testimony Whereof I have hereunto set my hand and affixed the Seal of said Circuit Court of the United States at the City of Detroit in said District this Seventh day of December in the Year of our Lord one thousand eight hundred and fifty eight and of the Independence of the United States of America the eighty third

SEAL.

Jno Wells Clerk"

and having stated that the Plaintiff in error had altogether failed to file the

word of said cause in this Court or in any way to prosecute said writ of error now has moved the Court in pursuance of the 63d rule of this Court to have this writ of error docketed and dismissed on consideration whereof it is now here ordered and adjudged by this Court that this writ of error to the Circuit Court of the United States for the District of Michigan be and the same is hereby docketed and dismissed with costs, and that this cause be and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity to law and justice. This said writ of error notwithstanding.

Vpr Tro Ch Jus Taney

	The Covington & Cincinnati Bridge Company & Richard M. Nebbeker Appts vs Alexander C. Hopkins & al	This cause was submitted to the Court on a printed argument by Mr. R. H. Thompson of Counsel for the Appellees
6		

19. The Commonwealth of Pennsylvania. Plff in er.
vs
William Ravenel, Exor &c. of Eliza Rohin dec'd

The argument of this cause was commenced by Mr Scott of counsel for the Plaintiff in error, continued by Mr Gerhard of counsel for the defendant in error and by Mr Hood of counsel for the Plaintiff in error.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Wednesday December 13th 1855.

Pursuant to adjournment the Court met this morning at the Capitol

Present.

The Honorable	Roger B. Taney	Chief Justice
"	John Catron	
"	Peter V. Daniel	
"	Samuel Nelson	Associate
"	Robert C. Grier	Justices.
"	John A Campbell	
"	Nathan Clifford	

William Silden, Esquire, Marshal,
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened.

Dennis J. Donovan		Mr. Gillet of counsel for the Plaintiff in error having suggested the death of his client Dennis J. Donovan the plaintiff in error pending the cause and since the last continuance, now here moved the Court for time to the proper representatives of the said Dennis J. Donovan, deceased, to file
vs.	Jeff in Er	
Christian Johnson		

52.

their appearance and become parties to this writ of error. On consideration whereof, it is now here ordered by the Court that the leave prayed for be and the same is hereby granted.

19 The Commonwealth of Pennsylvania - Plff in Er vs William Ravenel, Exor of Eliza Kohne, dead. The argument of this cause was concluded by Mr Hood of counsel for the Plaintiff in error

21 Benjamin Ford, Plff in Er. vs John L. & Herman Williams. The argument of this cause was commenced by Mr Brown of counsel for the Plaintiff in error, continued by Mr Hudson of counsel for the defendants in error and concluded by Mr Brown for the Plaintiff in error.

	Thomas Leggett ps. gal. vs. Appts. Benjamin G. Humphreys.	The argument of this cause was commenced by Mr J. H. Bradley of counsel for the appellants, & continued by Mr Carlisle of counsel for the appellees and by Mr Johnson for the appellants
111	Stephen C. Nelson & Co vs Appts Samuel K. Gamer pal. & the Pltf of Miami Brig: Steward &c. A. M. Stokes.	Mr Gillet of counsel for the appellees having suggested the death of Samuel K Gamer one of the appellees pending this cause and since its last continuance, now here moved the Court for leave to the personal representatives of the said Samuel K. Gamer to be caused, to file their appearance and become parties to this appeal: On consideration whereof, it is now here ordered by the Court that the leave prayed for be and the same is hereby granted.

Proclamation being made the Court is adjourned until ten o'clock tomorrow morning.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable	Roger B. Taney,	Chief Justice
"	John Catron,	
"	Peter V. Daniel,	
"	Samuel Nelson,	Associate
"	Robert C. Grier,	Justices.
"	John A. Campbell,	
"	Nathan Clifford	

William Selden Esquire Marshal
William Thomas Carroll Clerk

Proclamation being made the Court is opened.

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22 Thomas Leggett &c. et al vs. Appeals.
Benjamin G. Humphreys.

The argument of this cause was continued by Mr. King Johnson of counsel for the appellants

23.	The United States. Pltff in er. vs. Sherman M. Booth.	It is now here ordered by the Court that this cause be and the same is hereby passed for the present.

25.	Henry Dalton, Appt. vs. The United States.	This cause having been called for argument and no counsel appearing ready to proceed with the same: It is thereupon now here ordered by the Court that this cause be and the same is hereby passed to the foot of the docket under the 36th rule of Court.

26.	Ross Winans. Pltff in er. vs. The New York and Erie Railroad Company.	The argument of this cause was commenced by Mr. Blatchford of Counsel for the plaintiff in error, and continued by Mr. J. C. Wait of Counsel for the defendants in error.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Pursuant to adjournment the Court met this morning at the Capitol

Present.

The Honorable Roger B. Taney, Chief Justice
" James M. Wayne,
" John Catron,
" Peter V. Daniel, Associate
" Samuel Nelson, Justices.
" Robert C. Grier,
" John A. Campbell,
" Nathan Clifford.

William Selden, Esquire, Marshal.
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened.

	Edward M Livingston, et al. vs. Thomas A. Jenckes, et al.	This cause was submitted to the consideration of the Court on the

105. Appeals.

record and printed arguments by Mr Merrill of counsel for the appellants and by Messrs C. A. Seward and Jenckes of counsel for the appellees.

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25 Henry Walton, Appt
vs.
The United States.

Mr. Brent of counsel for the appellant moved the Court to rescind the order postponing this case to the foot of the docket entered in this case on a prior day of this term, to wit, on Thursday the 16th instant and for leave to argue the same. On consideration whereof, it is now here ordered by the Court that the said motion be and the same is hereby overruled.

25. Henry Walton, Appt
vs.
The United States

Mr. Brent of Counsel for the appellant now here moved the Court for leave to submit this cause on a printed argument. Whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises, took time to consider

26	Nos Hinans. Plff in Er. vs. The New York & Erie Railroad Company.	The argument of this cause was continued by Messrs Davis and Whitney of counsel for the defendants in error.

109 Oct 1857	Edmund Rice Plff in Er vs. The Minnesota & Northwestern Railroad Company.	McKinstry Johnson of counsel for the defendant in error submitted to the consideration of this Court the motion filed by him on Friday the 10th instant in this cause. Whereupon this Court not being now here sufficiently advised of and concerning what order to make in the premises took time to consider.

Proclamation being made the Court is adjourned until Monday morning at eleven o'clock.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable	Roger B. Taney	Chief Justice
" "	James M. Wayne,	
" "	John Catron,	
" "	Peter V. Daniel,	Associate
" "	Samuel Nelson,	Justices.
" "	Robert C. Grier,	
" "	John A. Campbell,	
" "	Nathan Clifford	

William Selden Esquire Marshal,
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr R J Cox it is ordered that T. Parken Scott, Esquire of Maryland be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Reverdy Johnson, it is ordered that Cornelius McLean, Esquire of Maryland be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

Ex parte In the matter of Moses Kneeland, Jackson Hadley & Charles C. Jenkins vs. William L. Banning

On motion of Mr. Doolittle of counsel for the plaintiffs in error for a rule on the defendant in error his counsel to file the record of this cause &c.

The Court have read and considered the motion of the counsel for Moses Kneeland, Jackson Hadley, and Charles C. Jenkins, together with the affidavits filed with the motion, in relation to the transcript of the record of a judgment obtained by a certain William L. Banning against the said Kneeland, Hadley and Jenkins in the District Court of the United States for the District of Wisconsin: to which transcript of a writ of error and citation were attached, which had been

issued upon the application of the said Rowland Hadley and Jenkins for the purpose of removing the said judgment to this Court - And upon consideration of the said motion and affidavits it is ordered by this Court that Mayfield Smith attorney for the said Banning into whose possession the aforesaid transcripts appears to have come forthwith upon notice of this order whether it shall file in this Court the transcript aforesaid with the writ of error and citation thereto annexed - Provided a copy of this order be served upon him on or before the fifteenth day of January next

Jas. McKeehan Jus Supr

Henry Watkins Appt.
vs
The United States

25

On consideration of the motion made by Mr Brent of Counsel for the appellant on last Friday the 17th instant for leave now to submit this cause on printed arguments it is now here ordered by the Court that the said motion be and the same is hereby overruled.

42. The United States Apfts.
vs.
Jose Joaquim Estudillo

Mr. Bradley of counsel for the apfullee having filed and read in open court a motion in this case in the words and figures following, to wit,

"The defendant in the above entitled cause by his counsel shows to the Court that the said cause was on the 28th day of July 1858 dismissed under the 69th rule of this Court, but under the construction given by the Clerk to said rule he does not feel at liberty to grant any authenticated copy of the agreement under which it was so dismissed or any process which will enable the Court below to take judicial notice thereof and proceed to execute the judgment of the court below from which this appeal was taken. — And the said defendant by his said counsel now here in open court moves the Court for such order herein as may appear to the court right and proper to return the said cause to the Court of California in order that the same may be proceeded therein to final judgment and execution", and

it appearing to this court that the clerk has entered this cause dismissed pursuant to the stipulation of the parties and the 56th rule of this Court, it is therefore now hereby ordered, ordered and decreed by this Court that this cause stand dismissed and that this cause be and the same is hereby remanded to the said District Court of the United States for the Northern District of California to be proceeded with according to law and justice the said appeal notwithstanding.

McKinley, Garnett & Co
vs. Appeals
36. William Morrish, Master of Ship Pons Stelli &c.

Mr. Bent of counsel for the appellee having filed a motion to dismiss this cause for the want of an appeal now here moved the Court to order said motion for argument on next Friday the 24th instant. On consideration whereof, it is now here ordered by the Court that the said motion be and the same is hereby set down for argument on next Friday the 24th instant

11	Charles Ballance Plff in Er vs Joseph L. Peirsin, & Nicholas B. S Eldred.	In error to the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and it appearing to the Court that no citation has been issued in this case, it is now here on the motion of Mr. Williams of counsel for the defendants in error ordered and adjudged by this Court that this cause be and the same is hereby dismissed for the want of jurisdiction.

Ts. Mr. Ch. Jos. Taney.

12.	Charles Ballance Plff in Er. vs. Samuel Hart Elizabeth Hart, James Sargeant & Mary L Sargeant.	In error to the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit

Court of the United States for the Northern District of Illinois and it appearing to the Court that no citation has been issued or served in this case, it is now here on the motion of Mr. Williams of counsel for the defendants in error, ordered and adjudged by the Court that this cause be and the same is hereby dismissed for the want of jurisdiction

Ds. Mr. Chf Jus. Taney

John Reynolds &
Josiah E. McClure
vs. Jeffries
Robert Forsyth

In error to the Circuit Court of the United States for the Northern District of Illinois.

13.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and it appearing to the Court that no citation has been issued or served in this case, it is now here, on the motion of Mr. Williams of counsel for the defendant in error ordered and adjudged by this Court that this cause be and the same is hereby dismissed for the want of

jurisdiction.

Ps Mr: Ch. Jus. Taney

111 William Kellogg Plff in er. vs. Robert Forsyth — In error to the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and it appearing to the Court that no Citation has been issued or served in this case it is now here, on the motion of Mr Williams of Counsel for the defendant, ordered and adjudged by this Court that this cause be and the same is hereby dismissed for the want of jurisdiction.

Ps Mr: Ch. Jus. Taney

15.	Richard Gregg Plff in Er. vs. Edward P. Tesson	Error to the Circuit Court of the United States for the Northern

District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois and it appearing to the Court that no citation has been issued or served in this case, it is now here on the motion of Mr Williams of counsel for the defendant in error, ordered and adjudged by this Court that this cause be and the same is hereby dismissed for the want of jurisdiction.

Pr Mr. Ch. Jus. Taney

18	Thomas Meehan, & Charles Ballance Plffs in Er. vs. Robert Forsyth.	In error to the Circuit Court of the United States for the Northern District of Illinois

This cause came on to be heard on the transcript of the record from the Circuit

Court of the United States for the North-ern District of Illinois, and it appearing to the Court that no citation has been is-sued or served in this case, it is now here on the motion of Mr. Williams of counsel for the defendant in error ordered and adjud-ged by this Court that this cause be and the same is hereby dismissed for the want of jurisdiction.

Ps. Mr. Ch. Jus. Taney.

Charles Ballance, Apl't.
vs.
Robert Forsyth, Lucien St. Amain and Antoine C. Bonis

Appeal from the Circuit Court of the United States for the Northern District of Illinois

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and it appearing to the Court that no appeal has been taken or citation issued in this case, it is now here on the motion of Mr. Williams of counsel for the appellee ordered and adjudged and decreed by this Court that this cause be and the same is

duly dismissed for the want of jurisdiction

Ppr Mr. Ch. Jus. Taney

James C Conner. Plff in Err.	In error to the
48 vs.	Circuit Court of
Robert Forsyth	the United States
	for the Northern

District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois and it appearing to the Court that no writ of error has been filed or issued out in this case, it is now here, on the motion of Mr. Williams of counsel for the defendant in error ordered and adjudged by this Court that this cause be and the same is hereby dismissed for the want of jurisdiction

Ppr Mr. Ch. Jus. Taney

263 The Rock Island Factory vs John Godwin William B Robinson & Jesse Hays

In error to the District Court of the United States for the Middle District of Alabama.

Mr Phillips of counsel for the defendants in error having filed and read in support of the following Certificate, to wit:

"The Rock Island Factory vs. John Godwin William B. Robinson & Jesse Hays

District Court of the United States for the Middle District of Alabama Spring Term 1856.

Judgment rendered on the 30th day of May 1856, being the fifth day of said Term in favor of the Plaintiff in the above stated cause 'The Rock Island Factory,' against the defendants in said cause John Godwin, William B Robinson & Jesse Hays, for the sum of Two hundred and fifty dollars.

United States of America.

I Phillips H. I Gayle, Clerk of the District Court of the United States for the Middle District of Alabama, Do hereby certify, that on the 30th day of May 1856, being the fifth

day of the Regular Term of said Court held in the fourth Monday of May in the year 1856 in a suit pending in said Court in which the Rock Island Bridge was Plaintiff and John Godwin William B Robinson and Jesse Hayes Defendants a judgment was rendered in favor of said plaintiff and against said defendants for the sum of Five hundred and fifty dollars damages and that on the 11th day of February 1858 a writ of error to move said judgment returnable to the Supreme Court of the United on the first Monday in December next thereafter was duly issued out by and allowed to the said plaintiff by the Hon John Gayle Judge of said Court.

In testimony whereof, at Office in the City of Montgomery, I have hereunto set my hand & affixed the seal of said Court this 2nd day of Dec 1858.

SEAL.

P. H. J Gayle Clk."

and having stated that the Plaintiff in error had altogether failed to file the

record of said cause in this Court or in any way to prosecute said writ of error now has moved the Court in pursuance of the 6th rule of this Court to have this writ of error docketed and dismissed - On consideration whereof it is now here ordered and adjudged by this Court that this writ of error to the District Court of the United States for the Middle District of Alabama and the same is hereby docketed and dismissed with costs, and that this cause be and the same is hereby remanded to the said District Court for further proceedings to be had therein in conformity to law and justice the said writ of error notwithstanding.

Per Mr. Chief Justice Taney.

Samuel H. Clarke &al vs. William Hart Jr	Plff in er	Error to the Circuit Court of the United States for the District of

264.

California

Mr Phillips of counsel for the defendant in error having filed and read in Court

the following Certificate, to wit -

" In the Circuit Court of the United States for the District of California, Northern District

William Hood Pltff

vs.

Samuel H. Clarke Samuel S. Dacon J. N. Wright, M.L. & Bird Simon Woodruff, S.W. Holdsworth, H.H. Smith, James H. Clark, David E. Mather, Thomas E. Finney, Wm. A. Clark, Wm Goddard and Gurge Bryan - Defendants -

I Sullivan Johnston Clerk of the Circuit Court of the United States for the District of California do hereby certify that a judgment in favor of the Plaintiff in this cause was entered by the Court on the 2d day of March A.D. 1858. - That on the 2d day of March aforesaid the defendants filed their bill of exceptions duly signed and sealed by the Judge of this Court That a writ of error was issued in said cause on the 8th day of October 1858 and a citation was issued thereon according to law.

In Witness whereof I

SEAL.

have hereunto set my hand and the seal of said Court this 19th day of October A.D. 1858.

Attest Geo. Tho. Johnston Clerk

By Curtis McAllister D.C."

and having stated that the plaintiffs in error had altogether failed to file the record of said cause in this Court or in any way to prosecute said writ of error, now has moved the Court in pursuance of the 63d rule of this Court to have this writ of error docketed and dismissed.- And consideration whereof, it is now here ordered and adjudged by this Court that this writ of error to the Circuit Court of the United States for the District of California be and the same is hereby docketed and dismissed with costs and that this cause be and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity to law and justice the said writ of error notwithstanding.

Per Mr. Ch. Jus. Taney.

26	Ros Wemans Plff in Er vs The New York and Erie Railroad Company.	The argument of this cause was concluded by Mr Nelson of counsel for the Plaintiff in error.

28	William E Mann vs. Plff in Er Henry Van Rhuljar	Mr Green of counsel for the defendant in error moved the Court to dismiss this cause for the want of a writ of error. Whereupon this Court not being now sufficiently advised of and what order to make in the premises took time to consider.

30	Daniel H Lounsdale jar vs. Apfts. Josiah S Pierrot	The argument of this cause was commenced by Mr Gillet of counsel for the appellants

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Tuesday December 21st 1858.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable	Roger B. Taney,	Chief Justice
"	James M. Wayne	
"	John Catron,	
"	Peter V. Daniel,	Associate
"	Samuel Nelson,	Justices.
"	Robert C. Grier,	
"	John A. Campbell &	
"	Nathan Clifford	

William Selden Esquire, Marshal
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by the Attorney General Black, it is ordered that Alfred B. McClement and James H. Hopkins Esquires of Pennsylvania, Justus S. McCarty Esquire of New Mexico and James Conner Esquire of South Carolina be admitted to practice as Attorneys and Counsellors of this Court and they were severally sworn accordingly.

On motion first made to the Court in this behalf by Mr. Cushing it is ordered that Alexander H. Brown and Wilson Mitchell Esquires of South Carolina be admitted to practice as Attorneys and Counsellors of this Court and they were severally sworn accordingly

On motion first made to the Court in this behalf by Mr. Cullenden it is ordered that Richard Butler Esquire of Michigan be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John Sherman it is ordered that Samuel F. Curtis Esquire of Iowa be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

35	The United States Appt. vs. John A. Sutter.	Mr. Attorney General Black of counsel for the Appt.

Mr. Attorney General having suggested to the Court the magnitude and importance of this case to the Government moved the court to postpone the argument to a few days after the regular call so as to enable him to have the benefit of assistant Counsel whom he expected to arrive in the next Steamer from California. On consideration whereof it is now ordered by the Court that the said motion be and the same is hereby overruled.

28	William E. Mason vs. Henry Van Rhul, & Theodore L. McGill.	In error to the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and it appearing to

the Court that no writ of error has been filed or sued out in this case, it is now here, on the motion of Mr Bowie of counsel for the defendants in error, ordered and adjudged by this court that this cause be and the same is hereby dismissed for the want of jurisdiction.

Ptr/ Mr. Ch. Jus. Taney

29. Daniel H. Lounsdale et al vs. Appts
Josiah L. Parish

The argument of this cause was continued by Mr Gillet of counsel for the appellants by Mr Baxter of counsel for the appellees, and by Mr. Reverdy Johnson for the appellants.

Proclamation being made the Court is adjourned until to morrow morning at eleven o'clock.

Wednesday December 22d. 1858.

Pursuant to adjournment the Court met this morning at the Capitol

Present.

The Honorable	Roger B Taney,	Chief Justice
"	James M Wayne,	
"	John Catron,	
"	Peter V. Daniel,	Associate
"	Samuel Nelson,	Justices.
"	Robert C. Grier,	
"	John A. Campbell,	
"	Nathan Clifford	

William Selden Esquire Marshal.
William Thomas Carroll, Clerk

Proclamation being made the Court is opened

The People of the State of New York use at. &c. Cullen &c. vs Edgar L. Cobb County Judge &c.	Mr Gillet of Counsel for the plaintiffs in error moved the

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Court for leave to file a stipulation signed by the attorneys for the parties in this cause with a portion of the record thereon, and

asked for an order directing the said additional portion of said record to be printed as a part of said record with consecutive paging, except such parts thereof as may have been already printed as a part of the record. On consideration whereof it is now here ordered by the Court that the said Stipulation and portion of the record therein referred to be filed in this cause and that the Clerk of this Court do have such matter when so filed, printed and incorporated with the record of this case as a part thereof.

James C. Hand Plff in Er. vs. Richard H. Winsor James P. Davis and Isaac Kirk Jr. Partners trading under the name of Winsor Davis & Co.	Error to the Circuit Court of the United States in the Eastern District of Pennsylvania

268. Mr. Hopkins of counsel for the defendants in error having filed and now in open Court the following Certificate, to wit:-

" In the Circuit Court of the United States for the Western District of Pennsylvania in the Third Circuit.

Richard H. Winslow, James C. Lanier & Isaac Keese Jr. partners trading under the name of Winslow, Lanier & Co. Citizens of the State of New York

vs.

James O'Hara, a citizen of the State of Pennsylvania.

Act of 11th May 1841

Action on the case.

I Henry Lord, Clerk of the Circuit Court of the United States for the Western District of Pennsylvania do hereby certify that at a Circuit Court of the United States for the Western District of Pennsylvania held at Pittsburg on the seventeenth day of August A.D. 1838 judgment was entered in favor of the plaintiffs against the defendant in the above suit for the sum of seven thousand three hundred and seventy five $\frac{75}{100}$ dollars & costs - And I do further certify that on the 29th day of August A.D. 1838 the defendant, James O'Hara sued out

a writ of error to the Supreme Court of the United States returnable on the first Monday of December A.D. 1858 at Washington City which was allowed by the Court, to reverse the judgment in said suit and that a citation was issued and served upon plaintiffs attorney.

In testimony whereof, I have hereunto subscribed my name and affixed the seal of the said Court at Pittsburg this 14th day of December A.D. 1858, and of the Independence of the United States the Eighty third

SEAL

H. Spencer, Clerk"

And having stated that the plaintiff in error had altogether failed to file the record of said cause in this Court or in any way to prosecute said writ of error, now here moved the Court in pursuance of the 63d rule of this Court to have this writ of error docketed and dismissed. - On consideration whereof, it is now here ordered and adjudged by this Court that this writ of error

to the Circuit Court of the United States for the Western District of Pennsylvania be and the same is hereby docketed and dismissed with costs, and that this cause be and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity to law and justice the said writ of error notwithstanding

Ordered Mr. Ch. Jus. Taney.

Mr Chief Justice Taney announced to the Bar that when the Court adjourned next Friday it would adjourn over to Tuesday the 28th instant.

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39. David H. Lowndale et al vs. Appts
Josiah L. Parish

The argument of this cause was concluded by Mr Kennedy Johnson of counsel for the appellants.

30. Mary Ann Thomas, Plff in Er.
vs.
Eliza Lawson et al.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr Fowler of counsel for the plaintiff in error and by Mr Watkins of counsel for the defendants in error.

31. Frederick L. Barnes et al.
vs. Plff in Er.
Benjamin H. Selsby et al.

The argument of this cause was commenced by Mr Wallis of counsel for the plaintiffs in error and continued by Mr Brent of Counsel for the defendants in error.

Proclamation being made the Court adjourned until tomorrow morning at eleven o'clock.

Thursday, December 23d 1858.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable	Roger B. Taney,	Chief Justice
" "	James M. Wayne,	
" "	John Catron,	
" "	Peter V. Daniel	Associate
" "	Samuel Nelson	Justices.
" "	Robert C. Grier	
" "	John A. Campbell,	
" "	Nathan Clifford.	

William Selden, Esquire, Marshal.
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened.

Frederick L. Baender &c. vs. Benjamin H. Pilsbee

Pltff in error

The argument of this cause was continued by Mr. Bruce and Mr. Reverdy Johnson of counsel for the defendants in error and by Mr. Pilson of counsel for the plaintiffs in error.

Proclamation being made the Court is adjourned until to morrow morning at eleven o'clock.

1106. Friday, December 24th 1858.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable	Roger B. Taney,	Chief Justice
"	James M Wayne,	
"	John Catron	
"	Peter V. Daniel,	Associate
"	Samuel Nelson,	Justices.
"	Robert C Grier	
"	John A. Campbell,	
"	Nathan Clifford	

William Selden, Esquire, Marshal
William Thomas Carroll Clerk.

Proclamation being made the Court is opened

1011 Sidney C Collins Appt
vs.
Drury Thompson, William F Cleveland & James Campbell

Mr Seward of counsel for the appellant having suggested to the Court that James Campbell one of the appellees had died pending this appeal now here moved the Court for an order that unless the proper representatives of the said James Campbell, deceased, shall

become parties within the first ten days of the next term of this Court that the appellant shall be entitled to open the record and on hearing to have the decree of the Court below reversed if it be erroneous — On consideration whereof it is now here ordered by the Court that unless the parties representatives of the said James Campbell, deceased shall become parties within the first ten days of the next term of this Court that then the appellant shall be entitled to open the record and on a hearing to have the decree of the Court below reversed if it be erroneous. Provided a copy of this order shall be printed in some newspaper at the seat of Government in which the laws of the United States shall be printed by authority for three successive weeks at least sixty days before the beginning of the next term of this Court

104	Sidney E. Collins, vs. Appt. Geny Thompson & al.	On the motion of Mr. Seward of counsel for the appellant, it is now

ordered by the Court that this cause be and the same is hereby continued to the next term of this court.

36	Mr Riley, Garnick & Co vs. Appts Wiliam Morrish, master & Claimt of the Ship "San Salina"	The motion filed by Mr. Brent to dismiss this appeal for the

want of an appeal was argued by Mr. Brent in support thereof and by Mr. Sand, for Mr. Reverdy Johnson, in opposition thereto

31	Frederick L. Barreda & al. vs. Plffs in e. Benjamin F. Silsbee & al	The argument of this cause was concluded by Mr. Nelson of counsel for the plaintiffs in error.

James Kilroy & al
vs. Plff in er.
Robert Forsyth

This cause was submitted to the Court in behalf of the defendant in error on a printed argument by Mr Hill learned for said defendant in error

Proclamation being made the Court is adjourned until Tuesday morning at eleven o'clock.

Tuesday December 25th 1855.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

His Honour	Roger B. Taney.	Chief Justice
" "	James M. Wayne,	
" "	John Catron.	
" "	Peter V. Daniel,	Associate
" "	Samuel Nelson	Justices.
" "	Robert C. Grier,	
" "	John A. Campbell	
" "	Nathan Clifford.	

William Selden, Esquire, Marshal
William Thomas Carroll, Clerk

Proclamation being made the Court is opened

On motion just made to the Court in this behalf by Mr. E. H. Thompson it is ordered that Edward McDonald, Esquire, of Indiana be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

17. The Baltimore Steampacket Company Claimants and Owners of the Steamer Louisiana. Appellants.

vs.

Isaac Fisher, Jonathan Campbell, Laurence Fisher Herbert M. Finton, and George D. McCoy.

Appeal from the Circuit Court of the United States for the District of Maryland

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Maryland and was argued by Counsel. On consideration whereof, it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar decrees bear in the Courts of the State of Maryland

Per Mr Justice Campbell.

Mr Justice Daniel dissented for want of constitutional power in Courts of the United States in admiralty.

Mr. Justice Wayne did not sit in this cause

21	Benjamin Ford, pltff in er. vs John S. Williams, & Norman Williams.	In error to the Circuit Court of the United States for the District of Maryland.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Maryland and was argued by counsel On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby reversed with costs, and that this cause be and the same is hereby remanded to the said Circuit Court with directions to award a venire facias de novo

per Mr. Jus. Grier.

Mr Justice Wayne did not sit in this cause.

	The Commonwealth of Pennsylvania. Plffs in Er vs William Ravenel Executor of Elijah Kehn dcd	In error to the Circuit Court of the United States for the Eastern District of Pennsylvania

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Pennsylvania, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

Per Mr. Jus. Nelson

Mr. Jus. Daniel dissenting

Mr. Jus. Wayne did not sit in this cause.

	James Kelsey & Joshua F. Hotchkiss - Plffs in Er vs Robert Forsyth.	In error to the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard

on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois and was argued by counsel.- On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

Per Mr. Ch. Jus. Taney.

Mr. Justice Wayne did not sit in this cause.

Wm. Kinley, Garnick & Co.
vs. Appts
36. William Merrick, Master &c. Claimt of the Ship Two Sisters

On consideration of the motion made in this cause on a prior day of the present term of this Court, to wit, on Monday 20th inst. and of the arguments of counsel thereupon had as well in support thereof as against the same - It is now here considered and ordered by this Court that the said motion be and the same is hereby overruled.

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109 of 2 D.T. 1857	Edmund Rice Plff in Er. vs. The Minnesota & Northwestern Railroad Company	On consideration of the motion made in this cause on a former day of the present term of this Court, to wit: on Friday the 19th instant and of the arguments of counsel thereupon had - It is now here considered and ordered by this Court that the said motion be and the same is hereby overruled
32	The Philadelphia Wilmington & Baltimore Railroad Co. vs. Philip Quigley -	The argument of this cause was commenced by Mr Donaldson of counsel for the plaintiff in error and continued by Mr H. Hunter Davis of counsel for the defendant in error

Proclamation being made the Court is adjourned until tomorrow morning at ten o'clock

Wednesday, December 29th 1858.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable	Roger B Taney	Chief Justice
"	James M. Wayne,	
"	John Catron.	
"	Peter V. Daniel	Associate
"	Samuel Nelson,	Justices.
"	Robert C. Grier	
"	John A Campbell,	
"	Nathan Clifford.	

William Selden Esquire Marshal
William Thomas Carroll Clerk

Proclamation being made the Court is opened.

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6 The Covington Drawbridge Company & Richard M. Nebeker. Appts vs. Alexander C. Stephens James Davidson Elijah F Gillan Samuel McClure, Samuel Peters Jorge Willard & William F Gordon. Appeal from the Circuit Court of the United States for the District of Indiana.

This cause came on to

be heard on the transcript of the record from the Circuit Court of the United States for the District of Indiana and was argued by counsel.— On consideration whereof, it is now here ordered and adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs

Per Mr. Jus. Catron

Mr. Justice Daniel dissented for want of jurisdiction of the Courts of the United States over Corporations - Marshall vs Balt. & Ohio R.R. Co. 16 Howards Rep.

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32. The Philadelphia Wilmington & Balt. Railroad Company vs. Cliffs in Er. Philip Quigley

The argument of this cause was continued by Mr. Kennedy Johnson of counsel for the defendant in error and concluded by Mr. Ashley of counsel for the plaintiffs in er

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Proclamation being made the Court adjourned until tomorrow morning at eleven o'clock.

Thursday, December 30th 1858.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable	Roger B. Taney,	Chief Justice
"	James M. Wayne,	
"	John Catron,	
"	Samuel Nelson,	Associate
"	Robert C. Grier,	Justices.
"	John A. Campbell,	
"	Nathan Clifford.	

William Selden Esquire Marshal.
William Thomas Carroll Clerk.

Proclamation being made the Court is opened.

On motion just made to the Court in this behalf by Mr. Woolley, it is ordered that Percy H. Smith Esquire of Wisconsin be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr Cushing it is ordered that Nicholas St John Green Esquire of Massachusetts be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

William Cushing & al Owners of the Brig James Gray vs. Appellees.

33. The cause of the Brig James Gray vs. The Owners of the Ship John Fraser & the Steamer "General Clinch."

The argument of this cause was commenced by Mr C. Cushing of Counsel for the appellants

and continued by Mr Mitchell of Counsel for the Steamer "General Clinch".

Proclamation being made the Court adjourned until tomorrow morning at ten o'clock

Friday, December 31st 1858.

Pursuant to adjournment the Court met this morning at the Capitol

Present.

The Honorable	Roger B. Taney,	Chief Justice
"	James M. Wayne,	
"	John Catron,	
"	Samuel Nelson,	Associate
"	Robert C. Grier,	Justices.
"	John A. Campbell,	
"	Nathan Clifford	

William Selden, Esquire Marshal
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened.

The Chief Justice Taney announced to the Bar that when the Court adjourns today it will adjourn over to Tuesday next the 4th proximo.

The Ocean Ferry Boat Company owners of the Steam Ferry Boat Star &c Appts

vs

The Ship Ocean Queen and the Steamship Locust City

-and-

Charles Hill & al owners of the Ship Ocean Queen

vs. Appts

The United States Mail Steamship Company, Claimts of the Steamship Locust City

4 Stat. from 1857 9

Mr Benjamin of counsel for Snow &al having filed and read in open Court the following suggestion and motion, to wit:

Snow &al vs. Sup. Court Hill &al.

Now appears before the Honorable Court J.P. Benjamin of counsel for the appellants Snow & al, and suggests to the Court that there was a clerical error in the entry of the decree in this case which by the amount of the damages ordered to be assessed by the said appellants was fixed at the sum of Two hundred and eight dollars and ninety seven cents, instead of Eleven hundred and nineteen dollars and sixty cents, as the whole will fully appear by reference to the report of the Commissioner in admiralty at page three of the supple-

-ment to the printed record, and to the opinion of this Court as reported in 20th Howard p. 545.-

Wherefore the said counsel for the appellants now moves the Court that the said decisial error be amended and a decree entered in favor of said appellants for said sum of Eleven hundred and nineteen dollars and six cents." and this Court not being now here sufficiently advised of and concerning what order to make in the premises took time to consider.

Elbert B Ward Jeffries Ex. vs. Peard Babcock & al. 260.

On consideration of the motion of Mr. Gillet of counsel for the plaintiff in error to rescind and annul the judgment of this Court entered in this case on a prior day of this term, to wit, on Tuesday the 14th instant, docketing and dismissing this writ of error with costs, and for leave to file the record and docket the cause - it is now here ordered by the Court

that said judgment be and the same is hereby rescinded and annulled upon the payment of the costs by the plaintiff in error and upon his having the record filed and the cause docketed in conformity to the rules of this Court.

Per Mr. Ch. Jus. Taney

Henry H. Wiley, and
William H. McEwen
vs. In Error
Charles A. Bulkley, and
Stuart Brown.

To the Circuit Court of the United States for the Eastern District of Tennessee.

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Mr. Nathl. Bosse of counsel for the defendants in error having filed and read in open Court the following affidavit, viz,

"In the Circuit Court of the United States for the Eastern District of Tennessee.—

John Doe, Lessee of Charles A. Bulkley & Stuart Brown
vs.
Henry H. Wiley and Wm. H. McEwen.—

I, Nathan Gammon, Clerk of the Circuit Court of the United

States for the Eastern District of Tennessee, do hereby testify that the above entitled cause was brought to trial and a verdict rendered therein, in favor of the plaintiffs in which a final judgment was rendered and docketed on the twenty fifth day of May A.D. 1858, that a writ of error to the Supreme Court of the United States was sued out by the defendants and allowed on the 26th day of May A.D. 1858, and that no return has been made to the same.

In Testimony whereof I have hereunto set my hand and affixed the Seal of the said Court in this 27th day of December A.D. 1858.

Seal

Nathan Gammon, Clerk"

and having stated that the plaintiffs in error had altogether failed to file the record of said cause in this Court or in any way to prosecute said writ of error, now hin moved the Court in pursuance of the 63rd rule of this Court to have this writ of error docketed and dismissed.— On consideration whereof it is now here

ordered and adjudged by this Court that this writ of error to the Circuit Court of the United States for the Eastern District of Tennessee be and the same is hereby dismissed and dismissed with costs, and that this cause be and the same is hereby remanded to the said Circuit Court, for further proceedings to be had therein in conformity to law and justice, the said writ of error notwithstanding.

Per Mr. Ch. Jus. Taney.

William Cushing & al Owners of the Brig "James Gray" vs. Appts
The Owners of the Ship "John Frazier" & the Steam "General Clinch"

The argument of this cause was continued by Mr Whitehall of counsel for the Steamer "General Clinch" by Mr Brown of counsel for the Ship "John Frazier" and concluded by Mr Gillet of counsel for the appellants.

Proclamation being made the Court was further adjourned until Tuesday morning at eleven o'clock.

Tuesday, January 4th 1859.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable	Roger B. Taney	Chief Justice
" "	James M. Wayne,	
" "	John Catron,	
" "	Peter V. Daniel,	Associate
" "	Samuel Nelson,	Justices.
" "	Robert C. Grier,	
" "	John A. Campbell,	
" "	Nathan Clifford.	

William Selden, Esquire, Marshal,
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Attorney General Black it is ordered that William A. Hull Esquire of Georgia be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

	The Propeller Niagara her Engine &c	Appeal from the District Court of the
4	Ansel K Cobb &c Claimants	United States for the
	vs.	District of Wisconsin.
	Joseph H. Cordes.	

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Wisconsin and was argued by counsel.

On consideration whereof it is now here ordered, adjudged and decreed by this court that the decree of the said District Court in this cause be and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar decrees bear in the Courts of the State of Wisconsin.

Per Mr. Jus. Clifford.

Tuesday January 4th 1859. Continued-

	The Peoples Ins Co Niagara &c Enquire &c. Insurance Co &c. Claim 153 Appts vs. Lester Sexton, Levin Sexton, George Sexton & Edward Bellis	Appeal from the District Court of the United States for the District of Wisconsin.
5.		

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Wisconsin and was argued by counsel - On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said District Court in this cause be and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar decrees bear in the state of Wisconsin.

Per Mr. Jus Clifford

	Thomas Leggett &c. Samuel Smith & Smith Lawrence vs Appts Benjamin G Humphreys	Appeal from the Circuit Court of the United States for the Southern District of Mississippi
22		

This cause came on to be heard on the

transcript of the record from the Circuit Court of the United States for the Southern District of Mississippi and was argued by Counsel. On consideration whereof, it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court be and the same is hereby affirmed with costs

Pr. Mr. Jus Daniel

Edward M. Livermore, David B Seaton. Appts
vs.
Thomas A. Jenkins, Alexander Fanning & Stephen Wakeman.

Appeal from the Circuit Court of the United States for the Southern District of New York

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York and was argued by Counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs Pr. Mr. Jus. Wayne

The Ocean Towboat Co. owners of the Steam Towboat Star, & al. vs. Ships. The Ship Ocean Queen & Steam ship Crescent City. and Charles Hill & al. owners of Ship Ocean Queen. vs. The United States Mail Steam Ship Co. claimants of Steam Ship Crescent City.	On consideration of the motion made in this cause last Friday the 31st ultimo. the Court now here ordered that notice of this motion be given to the counsel for the Crescent City and that this Court will hear the counsel if they desire to be heard on Friday next in the Term following
Reuben Middleton & Affirmance. vs. Williams McGraw.	This cause was submitted to the consideration of the Court on the record and printed argument by Mr. Babinge of counsel for the defendant in error.

4 of Dec. Term 1858 G.

34

35 The United States vs Apfts. John A. Sutter

The arguments of this cause was commenced by Mr. Hall of counsel for the appellants

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Wednesday, January 5th 1859

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable	Roger B. Taney	Chief Justice
"	James M. Wayne,	
"	John Catron,	
"	Peter V. Daniel,	Associate
"	Samuel Nelson,	Justices.
"	Robert C. Grier,	
"	John A Campbell,	
"	Nathan Clifford	

William Tilden, Esquire, Marshal
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened

On motion just made to the Court in this behalf by Mr Gillmann - it is ordered that I. S. Phillips Esquire of Kentucky be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

34. Reuben Middleton-Plff in e. vs. William Mc Guire. In consideration of the stipulation by Messrs Hughes and Gray to continue this cause filed the 28th ultimo and of the submission of the case by Mr Battis filed the 29th ultimo. It is now here ordered by the court that this cause be and the same is hereby continued to the next term of this Court.

35. The United States vs. Asplts. John A Sutter The argument of this cause was continued by Messrs Cutts Hughes & Battis of counsel for the asplantee.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable	Roger B. Taney,	Chief Justice
"	James M. Wayne,	
"	John Catron,	
"	Peter V. Daniel,	Associate
"	Samuel Nelson,	Justices.
"	Robert C. Grier,	
"	John A. Campbell,	
"	Nathan Clifford.	

William Selden, Esquire, Marshal.
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened.

35 The United States vs. Appts John A. Sutter.

The argument of this cause was continued by Messrs Butler & Walker for the appellee, and by the Attorney General Black for the appellants

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable	Roger B. Taney,	Chief Justice
" "	James M. Wayne,	
" "	John Catron,	
" "	Peter V. Daniel,	Associate
" "	Samuel Nelson,	Justices
" "	Robert C. Grier,	
" "	John A. Campbell,	
" "	Nathan Clifford	

William Selden, Esquire, Marshal,
William Thomas Carroll, Clerk

Proclamation being made the Court is opened

On motion just made to the Court in this behalf by Mr Brady, It is ordered that William W. Kingsbury Esquire of Dacotah Territory and A. J. Edgerton Esquire of Minnesota be admitted to practice as Attorneys and Counsellors of this Court and they were severally sworn accordingly.

286	Robert Ramey Virgil Lamb & Christopher H. Knott pffs in er vs. John H Bacon	In error to the Circuit Court of the United States for the Northern District of Illinois

Mr Hatch & Cox of counsel for the defendant in error having filed and read in open court the following certificate, to wit;

"United States of America
Northern District of Illinois
I William H. Bradley, Clerk of the Circuit Court of the United States for said Northern District of Illinois, do hereby certify that in a certain cause in Ejectment for the recovery of the possession of certain real estate therein mentioned heretofore pending in said court wherein John H. Bacon was plaintiff and Robert Ramey Virgil Lamb and Christopher H. Knott were defendants upon a trial of the said cause upon an issue upon the said defendants' plea of the General issue thereto filed judgment was rendered in said Court in favor of the plaintiff and against said

defendants on the second day of June A.D. 1858 as yet of the adjourned May Term thereof A.D. 1858 for possession of the real estate declared on by the plaintiff and also for the sum of one cent for his damages together with the costs of suit from which said judgment a writ of error was sued out and a bond filed by said defendants Virgil Scott and Christopher H. Kreitler the twenty day of June A.D. 1858 for the purpose of prosecuting the same to the Supreme Court of the United States which was allowed by the Court and made a supersedeas in said cause and that no transcript or record of said judgment has been prepared for or demanded by said plaintiffs in error in said Circuit Court.

In testimony whereof I have hereunto set my hand and affixed the seal of said Court at Office in the City of Chicago this 27th day of December A.D. 1858.

Seal.

William H. Bradley, Clerk.

and having stated that the plaintiffs in error

had altogether failed to file the record of said cause in this Court or in any way to prosecute said writ of error, now here moved the Court in pursuance of the 63d rule of this Court to have this writ of error docketed and dismissed On consideration whereof, it is now here ordered and adjudged by this Court that this writ of error to the Circuit Court of the United States for the Northern District of Illinois be and the same is hereby docketed and dismissed with costs and that this cause be and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity to law and justice. the said writ of error notwithstanding.

Pr. Mr. Ch. Jus. Taney

The Insurance Company of the Valley of Virginia vs Pltfs in error
Moses G. Meredeal.

Mr Phillips of counsel for the defendant in error, moved the Court to dismiss this writ of error because it was not made returnable according to law. Whereupon it is ordered by the

Court that this motion be and the same is hereby set down for argument next Friday the 14th instant, and that the counsel for the defendant in error notify Mr Robinson the counsel for the plaintiff in error thereof.

285. John F. Mason plff in err vs Joseph C. Gamble — Mr Campbell of counsel for the defendant in error moved the Court to dismiss this cause because the amount in controversy is not sufficient to confer jurisdiction on this Court. Whereupon it is ordered by the Court that this motion be and the same is hereby set down for argument next Friday the 14th instant, provided that notice be given the counsel for the plaintiff in error thereof.

11. Charles Ballance vs Joseph L. Papin et al. plff in err — Mr Ballance of counsel for the plaintiff in error moved the Court for the reasons set forth in his written motion to reinstate the judgment dismissing this

writ of error for the want of jurisdiction on the 20th ultimo, and to reinstate this cause on the Calendar for argument.— Whereupon this court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

12 Charles Ballance vs. Samuel Hurt & al. Plff in Error

Mr. Ballance of counsel for the plaintiff in error moved the Court for the reasons set forth in his written motion to rescind the judgment dismissing this writ of error for the want of jurisdiction on the 20th ultimo, and to reinstate this cause on the Calendar for argument. Whereupon this Court not being now sufficiently advised of and concerning what order to render in the premises took time to consider.

35. The United States Appts
vs.
John A. Sutter

The argument of this cause was concluded by the Attorney General

Black of counsel for the appellants

36. Mr. Kirby Gamack & Co.
vs. Appts
William Marsh, Master Claimt of the Ship Jane Miller.

The argument of this cause was commenced by Mr. Lord of counsel for the appellants, and continued by Mr. Brent of counsel for the appellee.

Proclamation being made the Court is adjourned until Monday morning at eleven o'clock.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable	Roger B. Taney.	Chief Justice
"	James M. Wayne,	
"	John Catron,	
"	Peter V. Daniel,	Associate
"	Samuel Nelson,	Justices.
"	Robert C. Grier,	
"	John A. Campbell,	
"	Nathan Clifford.	

William Selden, Esquire, Marshal.
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened.

Ross Winans, Plff in Er
vs.
26. The New York and Erie Railroad Company.

In error to the Circuit Court of the United States for the Northern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of New York and was argued

by counsel. On consideration whereof it is now hereordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

Per Mr. Jus. Grier.

Mr. Jus. Daniel dissents on the ground of want of jurisdiction

198 The Union Insurance Company - Plffs. in Error vs. John Blair Hoge. } Error to the Circuit Court of the United States for the Northern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of New York and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs and interest until paid at the same rate, per annum that similar judgments bear in the Courts of the State of New York.

Per Mr. Jus. Nelson.

Mr. Justice Daniel dissents on the ground of a want of jurisdiction.—

Com Richmond - Appt.
vs.
The City of Milwaukee and Ferdinand Kuehn.

Appeal from the District Court of the United States for the District of Wisconsin.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Wisconsin and was argued by counsel. On consideration whereof, it is now ordered, adjudged and decreed by this Court that this cause be and the same is hereby dismissed for the want of jurisdiction.

Per. McKh. Jas. Taney.

11

Charles Ballance.
vs Plff in Er
Joseph L. Fasin et al.

On consideration of the motion submitted on the 7th instant to the Court by Mr Ballance of counsel for the plaintiff in error to annul the judgment entered

in this cause and to reinstate the same on the docket for argument. It is now here ordered by the Court that the said motion be and the same is hereby overruled.

12 Charles Ballance, Plff in er. vs. Samuel Hart & al. On consideration of the motion submitted on the 7th instant to the Court by Mr. Ballance of counsel for the plaintiff in error to annul the judgment rendered in this cause and to reinstate the same on the docket for argument - It is now here ordered by the Court that the said motion be and the same is hereby overruled.

52. Dennis J. Donovan vs. Christian Thomsen, Plff in er. Mr. Gillet of counsel for the plaintiff in error having filed testamentary appointing Frances Martin administratrix of the succession of Dennis J. Donovan, deceased, now here moved the Court for leave to enter the appearance of the said administratrix as plaintiff in error with liberty to prosecute

this writ of error. On consideration whereof it is now here ordered by the Court that the appearance of the said Francis Marsh administrator aforesaid be entered as the plaintiff in error, and that the said administrator be and he is hereby made the plaintiff in error in this cause.

	McKinley, Garnick & Co. vs. Appellts	The argument of this cause was continued by Mr. Kennedy Johnston of Counsel
36.	William Marsh, Master & Owner of the Ship "Pons Aelius"	

for the appellees and concluded by Mr. Sewell of Counsel for the appellants.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable	Roger B. Taney,	Chief Justice
"	John McLean,	
"	James M. Wayne,	
"	John Catron,	
"	Peter V. Daniel,	Associate
"	Samuel Nelson,	Justices.
"	Robert C. Grier,	
"	John A. Campbell,	
"	Nathan Clifford.	

William Selden, Esquire Marshal.
William Thomas Carroll Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Washburne - it is ordered that John Wilson Esquire of Illinois be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Hunt Gillingham, vs. Hiffiner. Irwin G. Fisher.	In error to the Supreme Court of the State of Wisconsin.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Wisconsin and it appearing to the Court, on the motion of Mr Rowley Johnson of counsel for the plaintiff in error that the counsel for the respective parties have filed an agreement that this writ of error be discontinued, each party paying his own costs - It is therefore now here ordered and adjudged by this Court that this cause be and the same is hereby dismissed, and that each party pay his own costs.

Per Mr Ch. Jus. Taney.

Leslie Combs. Appt.
vs.
37. William S. Hodge admr of Andrew Hodge dec'd et al.

The argument of this cause was commenced by Mr Baxter of Counsel for the appellant and continued by Messrs Rhodes Johnson Jr & Gs of counsel for the appellee.

Proclamation being made the Court adjourned until tomorrow morning at ten o'clock.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable	Roger B. Taney,	Chief Justice
"	John McLean,	
"	James M. Wayne,	
"	John Catron,	
"	Peter V. Daniel,	Associate
"	Samuel Nelson,	Justices.
"	Robert C. Grier,	
"	John A. Campbell,	
"	Nathan Clifford	

William Selden, Esquire Marshal.
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Douglas, it is ordered that George Harkness Esquire of Pennsylvania be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Leslie Combs. Appt.
vs.
37 William L. Hodge admr
of Andrew Hodge dec'd &c. Appees.

The argument of this cause was concluded by Mr Joseph H Bradley of Counsel for the appellant

James C. Hare &c Plaintiffs in Error
vs
268. Richard H. Winslow, James H. Lanier & Isaac Kelly & Partners had no name the name of Winslow Lanier & Co.

On consideration of the motion of Mr Nelson of counsel for the plaintiff in error to reverse and annul the judgment of this Court rendered in this cause on a prior day of this term to wit on Saturday the 23d instant dismissing this writ of error with costs and for leave to file the record and docket the cause - It is now here ordered by the Court that said judgment be and the same is hereby reversed and annulled upon the payment of the costs by the plaintiff in error and upon his having the record filed and the cause docketed in this Court

mity to the rules of this Court.

Pr. Mc Ch. Jus. Taney

38

Lessee of William C. French & Wife. Plff. in Er. vs. William H. Spencer & al.	The argument of this cause was commenced by Mr. R. H. Thompson of counsel for the plaintiff in error and continued by Mr. Bennett of counsel for the defendants in error.

Proclamation being made the Court is adjourned until to-morrow morning at eleven o'clock.

Pursuant to adjournment the Court met this morning at the Capitol

Present.

The Honorable	Roger B. Taney	Chief Justice
" "	John McLean.	
" "	James M. Wayne.	
" "	John Catron,	Associate
" "	Peter V. Daniel.	Justices.
" "	Samuel Nelson,	
" "	Robert C. Grier.	
" "	John A. Campbell,	
" "	Nathan Clifford.	

William Tolson, Esquire, Marshal
William Thomas Carroll, Clerk

Proclamation being made the Court is opened

On motion just made to the Court in this behalf by Mr. Gillet it is ordered that Horace Maynard Esquire of Tennessee be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

38.	Lessee of William C. Funck v. Wise Plff in er. vs. William H. Spencer Jr. & al.	The argument of this cause was concluded by Mr. Thompson of counsel for the plaintiff in error
39.	George Smith. Appt. vs. John F. Orton	The argument of this cause was continued by Mr. Doolittle of counsel for the appellant and continued by Mr. Gillet of counsel for the appellee.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable	Roger B Taney	Chief Justice
" "	John M'Lean,	
" "	James M. Wayne.	
" "	John Catron,	
" "	Peter V. Daniel.	Associate
" "	Samuel Nelson.	Justices.
" "	Robert C. Grier.	
" "	John A. Campbell,	
" "	Nathan Clifford.	

William Selden Esquire, Marshal
William Thomas Carroll Clerk

Proclamation being made the Court was opened.

269. The Insurance Company of the Valley of Virginia vs Plaffs in Er. Moses C. Mordecai

On the motion of Mr. Phillips of counsel for the defendant in error it is now here ordered by the Court that the motion to dismiss this case be and the same is hereby set down for argument next Friday the 21st instant

164	The United States. vs. James A. Bolton.	Appts Mr. J. M Campbell of counsel for the appellee having this date filed a motion to dismiss this appeal for the reasons therein set forth now hire moved the Court that the said motion be set down for argument on next Friday. On consideration whereof it is now hire ordered by the Court that the said motion be and the same is hereby set down for argument next Friday the 21st instant, and that the said counsel for the appellee give notice thereof to Mr. Attorney General Black.
285	John I Mason. Pltff in Er vs. Joseph E. Gamble	The motion to dismiss this cause was argued by Mr. J. M Campbell in support thereof and by Attorney General Black in opposition thereto.

39	George Smith Appt. vs. John F. Acton	The argument of this cause was concluded by Mr Doolittle of counsel for the appellant.
110	The United States vs. Michael C. Nye Appts	The argument of this cause was commenced by Mr Hall of counsel for the appellants and continued by Mr Benham of counsel for the appellee.
69	Russell Sturges Appt vs John Clough for Claimt of the Steamboat Belle Key Scow Tackle &c.	On the motion of Mr Phillips in behalf of the appellant it is now here ordered and decreed by the Court that pursuant to the Stipulation of the counsel filed in this cause on the 13th instant that the amended bonds & right of the record filed in this case on the same day be and they are hereby substituted for and in lieu of the bonds & right filed herein

on the 5th of December 1857 - and that this cause shall be heard and decided on said amended transcript so filed on the 13th ultimo: and it is further ordered that said amended transcript and the stipulation so filed on the 13th be returned at the joint expense of the parties in this cause and that the Clerk of this court do have the same printed accordingly

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Proclamation being made the Court is adjourned until Monday morning at eleven o'clock

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable	Roger B. Taney,	Chief Justice
" "	John McLean,	
" "	James M. Wayne,	
" "	John Catron,	
" "	Peter V. Daniel,	Associate
" "	Samuel Nelson,	Justices.
" "	Robert C. Grier,	
" "	John A. Campbell,	
" "	Nathan Clifford	

William Selden Esquire Marshal
William Thomas Carroll Clerk.

Proclamation being made the Court opened

On motion just made to the Court in this behalf by Mr Peebles it is ordered that Francis F. Murphy, Esquire of Pennsylvania be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly

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On motion first made to the Court in this behalf by Mr. Gillet it is ordered that Horatio F. Averill Esquire, of New York be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

The Philadelphia Wilmington & Baltimore Railroad Co. vs. Philip Quigley

32

In error to the Circuit Court of the United States for the District of Maryland.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Maryland and was argued by Counsel.

On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby reversed with costs, and that this cause be and the same is hereby remanded to the said Circuit Court with directions to award a venire facias de novo.

Mr. Justice Campbell

29.	Daniel H Lounsdale. Leonard Harris & al. vs Appl Joseph L Parish	Appeal from the Supreme Court of the Territory of Oregon

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Oregon, and was argued by counsel - On consideration whereof it is now here ordered adjudged and decreed by this court that this cause be and the same is hereby dismissed for the want of jurisdiction.

Per Mr Jus: Catron.

30.	The United States vs Appl Michael L Nye.	No argument of this cause was made by the Attorney General Black of counsel for the appellants.

The United States. vs. Apfits. Nathaniel Bassett

113

The argument of this cause was commenced by Mr. Attorney General Black of counsel for the appellants and continued by Mr Blair of counsel for the appellee.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Tuesday January 18th 1839.

Pursuant to adjournment the Court met this morning at the Capitol

Present.

The Honorable	Roger B. Taney	Chief Justice
"	John McLean	
"	James M. Wayne	
"	John Catron,	
"	Peter V. Daniel,	Associate
"	Samuel Nelson	Justices.
"	Robert C. Grier	
"	John A. Campbell,	
"	Nathan Clifford	

William Thomas Carroll Esquire. Marshal
William Thomas Carroll Clerk.

Proclamation being made the Court is opened.

On motion just made to the Court in this behalf by Mr. Rockwell, - it is ordered that Bernard Rodkey Esquire of New York be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.-

On motion first made to the Court in this behalf by Mr. Blair it is ordered that C. Gibson Esquire of Missouri be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

John F. Mason. vs. Joseph E. Gamble and David Gamble.	In error to the Circuit Court of the United States for the District of Maryland.

285

This cause came on to be heard on the transcript of the record from the United States for the District of Maryland, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that this cause be and the same is hereby dismissed for the want of jurisdiction.

Per Mr. Chief Justice Taney.

43	The United States vs Appl'ts Nathaniel Bassett	The argument of this cause was continued by Mr. C. C. Howard of counsel for the appellee and concluded by Mr Hall of counsel for the appellants.

45	Henry Hill, Plff in Er vs. Caleb B. Smith et al	This cause was submitted to the consideration of the Court on the record and printed argument of Mr Smith of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock

Wednesday, January 19th, 1859.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable	Roger B. Taney.	Chief Justice.
"	John McLean.	
"	James M. Wayne.	
"	John Catron,	Associate
"	Peter V. Daniel.	Justices.
"	Samuel Nelson.	
"	Robert C. Grier,	
"	John A. Campbell.	
"	Nathan Clifford.	

William Selden, Esquire, Marshal.
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened.

Hiram Barber, Appt
vs.
Huldah A. Barber, by her next friend George Burkhite.

This cause was argued by Mr. Doolittle of counsel for the appellant and submitted on a printed argument by Mr. J. G. Brown of counsel for the appellee

114

23. The United States vs. Plffs in er. Sherman M. Booth

This cause was argued by Mr. Attorney General Black of counsel for the plaintiffs in error.

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46. Enoch McCarty vs Plffs in er. Guernsey & Root & al.

This cause was argued by Mr. Sullivant of counsel for the defendants in error and submitted on a printed argument by Mr. A.H. Smith of counsel for the plaintiff in error.

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1. Stephen V. Abman vs Plff in er Sherman M. Booth.

This cause was argued by Mr. Attorney General Black of counsel for the plaintiff in error

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Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock

Thursday, January 20th 1859.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable	Roger B Taney,	Chief Justice
"	John McLean	
"	James M. Wayne,	
"	John Catron,	
"	Peter V. Daniel,	Associate
"	Samuel Nelson,	Justices
"	Robert C. Grier,	
"	John A. Campbell,	
"	Nathan Clifford.	

William Selden, Esquire, Marshal,
William Thomas Carroll. Clerk.

Proclamation being made the Court is opened.

47. George Bondes, late master & part owner of Steamboat Kate &c. vs. Appeal
James F. Sherwood & al.

This cause having been called for argument and no counsel appearing ready to proceed with the same. It is thereupon now here ordered by the Court that this cause be and the same is

hereby postponed to the first of the docket under the 36th rule of Court.

19	Jacob B. Brown & al. vs Plff's in Er. Benjamin Hagan.	The argument of this cause was commenced by Mr. H. Winter Davis of counsel for the plaintiffs in error, continued by Messrs Hall and Mason of counsel for the defendant in error and concluded by Mr. Randy Johnson of counsel for the plaintiffs in error

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24	Lloyd N. Rogers, adm'r &c. vs Appt. Henry May, adm'r &c and.	A motion was made to dismiss these cases at the last term, which was argued by counsel. On consideration of which the Court direct that the
27	Lloyd N. Rogers, adm'r &c. vs. Joseph E. Law, by Mary Robinson his next friend.	

cases be argued on their merits and also on the motion to dismiss at the present term, - and that notice of this order be

given to the Counsel.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable	Roger B Taney	Chief Justice
" "	James M. Wayne	
" "	John Catron	
" "	Peter V. Daniel	Associate
" "	Samuel Nelson	Justices.
" "	Robert C. Grier	
" "	John A. Campbell	
" "	Nathan Clifford	

William Tolson, Esquire Marshal,
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Ballance, it is ordered that William Kellogg, Esquire, of Illinois be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. Ewing, it is ordered that Edmund Pendleton, Esquire, of Ohio, and Hiram A. Tulson Esquire of New York be admitted to practice as Attorneys and Counsellors of this Court and they were severally sworn accordingly.

William S. Mossyat vs Plffs in Err. Edward Chase.	Mr. Bunt of counsel for the defendant in error now here moved the

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Court to dismiss this cause for the reasons set forth in his written motion filed in the case this date. Whereupon Mr. Ballance of counsel for the plaintiffs in error moved the Court to set down the aforesaid motion for argument on Friday next. On consideration whereof, it is now here ordered by the Court that the said motion to dismiss this cause be set down for argument on Friday next the 28th instant.

274. Abner L. Harding ux. vs. Jeffries et al. Edward Chase

Mr. Brent of counsel for the defendant in error now here moved the Court to dismiss this cause for the reasons set forth in his written motion filed in the case this date. Whereupon Mr. Ballance of counsel for the plaintiffs in error moved the Court to set down the aforesaid motion for argument on Friday next. On consideration whereof it is now here ordered by the Court that the said motion to dismiss this cause be set down for argument on Friday next the 28th instant

276. William Sinnott ux. vs. Jeffries et al. Edward Chase

Mr. Brent of counsel for the defendant in error now here moved the Court to dismiss this cause for the reasons set forth in his written motion filed in this case this date. Whereupon Mr. Ballance of counsel for the plaintiffs in error moved the Court to set down the aforesaid motion for argument on

to Friday next. On consideration whereof it is now here ordered by the Court that the said motion to dismiss this case be set down for argument on Friday next the 28th instant.

277 William T. Mogg et al. vs. Jeffries in Error Edward Chase

Mr. Brent of counsel for the defendant in error now here moved the Court to dismiss this cause for the reasons set forth in his written motion filed in the case this date. Whereupon Mr. Ballance of counsel for the plaintiffs in error moved the Court to set down the aforesaid motion for argument on Friday next. On consideration whereof, it is now here ordered by the Court that the said motion to dismiss this case be set down for argument on Friday next the 28th instant.

278 William G. Mogg et al. vs. Jeffs in Er Edward Chase.

Mr. Brent of counsel for the defendant in error now here moved the Court

to dismiss this cause for the reasons set forth in his written motion filed in the case this date. Whereupon the solicitor of Counsel for the plaintiffs in error moved the Court to set down the aforesaid motion for argument on Tuesday next. In consideration whereof, it is now hereby ordered by the Court that the said motion to dismiss this cause be set down for argument on Friday next the 28th instant.

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101 Richard Gregg, Plff in er.
vs.
William P. Bryant.

Mr. Kellogg of Counsel for the defendant in error prayed the Court to dismiss this cause for the want of a citation and non-saliance of Counsel for the plaintiff in error admitted the same. Whereupon the Court directed the following judgment

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101 Richard Gregg Plff in er
vs
William P. Bryant

In error to the Circuit Court of the United States for the Northern District of Illinois

Friday, January 21st 1859. Continued.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and it appearing to the Court that no citation has been issued in this case, and the same being admitted by the Counsel of counsel for the plaintiff in error. It is now here on the motion of Mr. Phillips of counsel for the defendant in error, ordered and adjudged by this Court that this cause be and the same is hereby dismissed for the want of jurisdiction.

Present Mr. Ch. Jus. Taney

The Insurance Company of the State of Virginia.
vs
Moses C. Mordecai.

The motion filed on the 5th instant by Mr. Phillips to dismiss this cause was argued by him in support thereof and by Mr. Robinson of counsel for the plaintiffs in error against the same. Whereupon this Court not being now fully sufficiently advised of and concerning what order to make in the premi-

-ed took time to consider.

James Kilby ret. vs Plff in err. Robert Forsyth. — 7.

Mr Balance of counsel for the plaintiffs in error moved the Court for leave to argue this cause - Whereupon this court not being now fully sufficiently advised of and concerning what order to render in the premises took time to consider

The State of Alabama vs Compt. The State of Georgia — 5

Mr Phillips of counsel for the complainant moved the Court to set down this cause for hearing, on the Bill and answer filed in the same, on the second Monday of the next December Term of this Court and to which Mr Glenn of counsel for the respondent assented - On consideration whereof it is now here ordered by the Court that this cause be and the same is hereby set down for a hearing on the Bill and answer filed in the same, on the second Monday of the next December Term of this Court

Friday January 21st 1859 Continued

50	Robt Campbell &al vs Plffs in er Edmund Bayneau	This cause was argued by Russel Bond and Cuthbert of counsel for the defendant in error

51	Francis A Dickins Exor vs Plff in er. Alonzo Mahana.	The argument of this cause was commenced by Mr Coombs of counsel for the plaintiff in error

Proclamation being made the Court is adjourned until Monday morning at eleven o'clock.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable	Roger B Taney	Chief Justice
"	John McLean,	
"	James M. Wayne.	
"	John Catron,	Associate
"	P. V. Daniel.	Justices
"	Samuel Nelson.	
"	Robert C. Grier. &	
"	John A Campbell.	

William Tolden, Esquire Marshal.
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr Spalding - it is ordered that John G. Newbery Esquire. Michigan be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

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30. Mary Ann Thomas
vs. Pltff in er.
Eliza Lawson & al heirs at law of James Lawson, decd. by Geo. A Gillaspie their guardian ad litem.

In error to the Circuit Court of the United States for the Eastern District of Arkansas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Arkansas, and was argued by counsel. On consideration whereof, it is now here ordered adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs

Per Curiam Jus Daniel

7. James Kelsey & al
vs. Pltffs in er.
Robert Forsyth.

On consideration of the motion made in this cause on a prior day of the present term of this Court, to wit, On Friday the 21st instant by Mr Ballance of counsel for the plaintiffs in error for leave to argue

this cause it is now here considered and ordered by the Court that the said motion be and the same is hereby overruled.

Francis A. Robert Jesse
vs pltff in err
Alonzo Nahama

51. The argument of this cause was continued by Mr Hanna of counsel for the defendant in error and concluded by Mr Linton of counsel for the plaintiff in error

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Proclamation being made the Court is adjourned until tomorrow morning at 9 oclock.

1854 Tuesday January 25th 1859.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable James M. Wayne
" John Catron
" Peter V. Daniel } Associate
" Samuel Nelson } Justices
" Robert C. Grier
" John A. Campbell

William Tilden, Esquire, Marshal,
William Thomas Carroll, Clerk.

Proclamation being made the Court opened

On motion first made to the Court in this behalf by Mr Cathcart it is ordered that Chas. Shea Esquire of New York be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly

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On motion first made to the Court in this behalf by the Attorney General Black, it is ordered that Lemuel L Bradford, Esquire of Pennsylvania be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly

---

On motion first made to the Court in this behalf by the Attorney, it is ordered that Francis F Mastin Esquire of New York be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly

---

52 Francis F Scott vs Christian Hunter

The argument of this cause was commenced by the Solicitor of counsel for the plaintiff in error continued by Mr Benjamin of counsel for the defendant in error and concluded by Mr Sollet for the plaintiff in error

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	James Cyprit Gentis, Peter Claude Tessier, Isodore Pitre and Gilbert Lirgues. Plffs in er.	In error to the Circuit Court of the United States for the Eastern District of Louisiana.
53.	vs.	
	H. F. Tudenburg & Wm. H. Tudenburg, Commercial partners, trading under the firm of H. F. Tudenburg & Co, and A. Conant. —	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Louisiana and was argued by counsel on consideration whereof, it is now here, pursuant to the 59th rule of this Court, now considered ordered and adjudged by this Court that this cause be and the same is hereby dismissed with costs, and that this cause be and the same is hereby remanded to the said Circuit Court to be proceeded in according to law and justice.

Per Mr Jus. Wayne

54. David Boorman &al vs. Tiffs in er. William A. Woodward &al.

The argument of this cause was commenced by Mr Shumberry of counsel for the plaintiffs in error, continued by Mr. Mackey of counsel for the defendants in error and concluded by Mr. Stanbery for the plaintiffs in error

55. Charles Belcher &Co vs. Tiffs in er. George A. Lawrason, Collector &c

The argument of this cause was commenced by Mr. Thompson of counsel for the plaintiffs in error

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable James M. Wayne,
" John Catron,
" Peter V. Daniel, } Associate
" Samuel Nelson, } Justices
" Robert C. Grier, &
" John A. Campbell.

William Tilden Esquire Marshal
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened.

	Charles Belcher & Co. vs. Plaintiff in Error George A. Lawrason & Belcher &c.	The argument of this cause was continued by Mr. Benjamin for the plaintiff in Error by Mr. Attorney General Black of counsel for the defendant in error and concluded by Mr. Reverdy Johnson of counsel for the plaintiff in error.
55		

56. The United States vs. Plaintiffs in Error
The City Bank of Columbus.

The argument of this cause was commenced by Mr Attorney General Black of counsel for the plaintiffs in error and continued by Mr Stanbery of counsel for the defendant in error

115 Pierre A Berthold et al vs. Plaintiffs in Error.
James McDonald &c

The Clerk having filed the following report, to wit

"Office Supreme Court U.S.
Washington City, Jan 26 1859

"To the Honorable
The Chief Justice and Associate Justices of the Supreme Court of the United States

In obedience to the 6th rule of Court, the Clerk respectfully reports that the record of Pierre A Berthold &c. vs. James McDonald &c from the Supreme Court of Missouri contains several documents or papers in a foreign language and that said record does not contain any translation of said documents or

papers.

Wm Thos Carroll
Clerk Supreme Court U S.

and it appearing to the Court that the record has been printed. It is thereupon and on motion thereof now here ordered by the Court that the omission of translations in the above case may be supplied by the respective counsel in the cause by whom the documents have been introduced as evidence, provided said translations be agreed by the opposing counsel respectively and filed with the Clerk of this Court on or before the first day of March next. And in case the said translations be not so filed, then it is further now here ordered by this court that this record be and the same is hereby remitted to the said Supreme Court of the State of Missouri in order that translations of said documents and papers may be there supplied and inserted in the record pursuant to the 65th rule of this Court

Jno Mc Kee. Wayne.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Hon.	James M. Wayne	
"	John Catron	
"	Peter V. Daniel	Associate
"	Samuel Nelson	Justices.
"	Robert C. Grier	
"	John A. Campbell	

William Selden, Esquire, Marshal
William Thomas Carroll, Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr. Rockwell, it is ordered that Wm. F. Cox & John Granville Lane Esquires of New York be admitted to practice as Attorneys and Counsellors of this Court and they were severally sworn accordingly

56. The United States. vs. Pfiffner & The City Bank of Columbus

The argument of this cause was continued by Mr Stanbery of counsel for the defendant in error and concluded by Mr Hall of counsel for the plaintiffs in error

57. John H. Bittan Appt. vs. William A Bowdy Claimt of the Ship Ellen

The argument of this cause was commenced by Mr Hanson of counsel for the appellant continued by Mr Bacon of counsel for the appellee and concluded by Mr Hanson for the appellant

Proclamation being made the Court adjourned until to morrow morning at eleven o'clock

Sunday, January 23d 1859.

Pursuant to adjournment the Court met this morning at the Capitol

Present,

The Honorable James M Wayne
John Catron,
Peter V. Daniel,
Samuel Nelson,
Robert C. Grier,
John A. Campbell.

} Associate Justices.

William Seaton, Esquire, Marshal
William Thomas Carroll, Clerk.

Whereupon nothing being made the Court is adjourned

On motion first made to the Court on this day by Mr. Cunningham it is ordered that Daniel B Read Esquire of Ohio be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly

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The Ocean Towboat Company owners of the Steam Towboat Star, &c Apltts

vs.

The Ship Ocean Queen & the Steamship Crescent City

and

Charles Hill &al. owners of the Ship Ocean Queen

vs. Apltts

The United States Insurance Co. Claimts of the Steam Ship Crescent City.

Mr Benjamin of counsel for the Steam Towboat Star and Mr Cutting of counsel for the Steamship Crescent City submitted to the consideration of the Court the motion made by Mr Benjamin on a former day of the present term of this Court, to set on Friday the 31st instant to affirm the judgment entered in this cause at the last term of this Court. Whereupon this Court not being now sufficiently advised of and concerning what order to render in the premises took time to consider

1 & 9 of Wm Term 1857

Robt Gregg et al
vs. Plffs in er
Robt Forsyth

Mr Hasbrouck of counsel for the defendant in error moved the Court to dismiss this cause for the want of a citation - which was opposed by Mr Ballance of counsel for the plaintiffs in error, and who prayed the Court to set down said motion for argument next Friday. Whereupon the Court not being now fully advised of and considering what order to make in the premises took time to consider:

Wm Ranger et al.
vs Plffs in er.
Robt Forsyth

Mr. Hasbrouck of counsel for the defendant in error moved the Court to dismiss this cause for the want of a citation - which was opposed by Mr Ballance of counsel for the plaintiffs in error and who prayed the Court to set down said motion for argument next Friday. Whereupon this Court not being now fully advised of

and advising what order to render in the premises took time to consider.

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251. The St Louis Alton & Chicago Railroad Company pltffs in error
vs.
Clark Brothers & Co

Mr Peck of counsel for the defendant in error moved the Court to dismiss this cause for the want of a citation. Whereupon the Court not being now sufficiently advised of and concerning what order to render in the premises took time to consider.

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252. William Smith, impleaded with Roswell E. Goodell pltffs in error
vs.
Clark, Brothers & Co

Mr Peck of counsel for the defendants in error moved the Court to dismiss this cause for the want of a citation. Whereupon this Court not being now sufficiently advised of and concerning what order to render in the premises took time to consider.

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274 Abm C Harding et al
survivors of William
Kellogg dec'd
vs. Affidavit
Edward Chase

The motions filed by Mr Brent in this cause were argued by him in support thereof and by Mr Baltimore of counsel for the plaintiffs in error against the motions.

275 William S Mayo et al
survivors of William
Kellogg dec'd
vs Affidavit
Edward Chase.

The motions filed by Mr Brent in this cause were argued by him in support thereof and by Mr Baltimore of counsel for the plaintiffs in error against the motions.

276. William S Moss et al
survivors of William
Kellogg dec'd.
vs Affidavit
Edward Chase

The motions filed by Mr Brent in this cause were argued by him in support thereof and by Mr Baltimore of counsel for the plaintiffs in error against the motions.

William S. Mosgal Assignee of William Kellogg dec'd vs. Edward Chase	The motion filed by Pltff in this cause was argued by him in support thereof and by Mr Ballance of counsel for the plaintiffs in error against the motion.
577	

William S. Mosgal Assignee of William Kellogg dec'd vs. Edward Chase.	The motion filed by Pltff in this cause was argued by him in support thereof and by Mr Ballance of counsel for the plaintiffs in error against the motion
578.	

The North East Railroad Company vs. Pltffs in Er. Henry Willis	The argument of this cause was commenced by Mr Mason of counsel for the plaintiffs in error
58	

Parliament is here made the business and continued until Monday morning at eleven o'clock

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable	Roger B. Taney	Chief Justice
"	Peter V. Daniel,	Associate
"	Samuel Nelson,	Justices.
"	Robert C. Grier,	
"	John A. Campbell,	
"	Nathan Clifford.	

William Tilden, Esquire, Marshal
William Thomas Carroll Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Hon. David E. Sickles - it is ordered that Clarkson N. Potter Esquire of New York be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly

On motion first made to the Court in this behalf by Hon Justin Rice it is ordered that A Leonard, Esquire of Missouri be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr Thomas Perry it is ordered that H G Worthington Esquire of this Court be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly

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Frederick L Barnes }
Philip Barnes. Plffs in Err } Error to the
vs Circuit Court
Benjamin H. Fisher, John of the United
H. Fisher, Benjamin H States for the
Stone, William Stone, Geo. District of
J Sanders and William Maryland.
L. Richman.

This cause came on to be heard

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on the transcript of the record from the Circuit Court of the United States for the

District of Maryland and was argued by Counsel, - On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs and interest on the sum recovered at the same rate as on mesne that similar judgments have in the Courts of the State of Maryland.

Present Mr. Jus. Clifford
Dissenting Mr. Jus. Grier, Mr. Jus. Catron
and Mr. Jus. Wayne.

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36. Finlay McKinlay, & Alexander Garnock, Composing the firm of McKinlay Garnock & Co. vs. Appeals William Morrish, Master & Claimt. of the Ship "Jos. Hill," on behalf of Robt. & Edward Formby owners of said Ship.

Appeal from the Circuit Court of the United States for the District of California

This cause came on to be heard on the transcript of the record from the Cir-

cuit Court of the United States for the District of California and was argued by counsel. An consideration whereof, it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

Per Mr. Justice Wayne
Dissentiis Mr. Justice Nelson

John Dove the devisee of William G. Pearce and Monica Pearce his wife
vs.
William H. Pearce Jr. Joseph Pearce & Fanni Pearce

38. Appeal from the Circuit Court of the United States for the District of Indiana

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Indiana and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby

affirmed with costs.

Pr: Mr. Jus. Catron.

Robert Campbell et al
vs. Plffs in Er
Edward Bajrau

In error to the Circuit Court of the United States for the Northern District of California.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of California and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

Pr Mr. Ch. Jus. Taney.

The Insurance Company of the State of Virginia
vs. Plffs in Er
Moses L. Nadiani

In error to the Circuit Court of the United States for the Eastern District of Virginia.

This cause came on to be heard on the

transcript of the record from the Circuit Court of the United States for the Western District of Virginia and was argued by counsel - On consideration whereof it is now here ordered and adjudged by this Court that this cause be and the same is hereby dismissed for the want of jurisdiction

Pro. Mr. Ch. Jus. Taney

Mr. Chief Justice Taney announced to the Bar that after the argument in the case now before the Court is closed the Court in order to devote Wednesday to conference in the cases now under advisement will adjourn over to Thursday next.

The White Water Valley Canal Company
vs
Henry Vallette

No. 58.

The argument of this cause was continued by Messrs Swayne & Ewing of counsel for the defendant in error

Mr. Chief Justice Taney, Mr. Jus. McLean & Mr. Jus Clifford did not sit in this cause.

299	The United States vs Appts Vicente F. Gomez.	Appeal from the District Court of the United States for the Southern District of California.

Mr Hobbs of counsel for the appellee having filed a transcript of the record of this cause duly certified by the Clerk under the seal of the District Court of the United States for the Southern District of California setting forth the decree rendered by the said District Court in this cause and that of a subsequent day of the said Court on Appeal was duly prayed by the said United States and allowed by the said District Court, and having stated to the Court that the appellants had altogether failed to file the record of said cause in this court, or in any way to prosecute the appeal in this cause, now here moved the Court in pursuance of the 63d rule of this Court, to have this appeal docketed and dismissed. - On consideration whereof, it is now here ordered and decreed by this Court that this appeal from the

District Court of the United States for the Southern District of California be and the same is hereby dismissed and that this cause be and the same is hereby remanded to the said District Court for further proceedings to be had therein in conformity to law and justice the writ of appeal notwithstanding

Per Hon Jas Hayes

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock

Tuesday February 1st 1839.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable	James M. Wayne.	
"	John Catron.	
"	Peter V. Daniel.	Associate
"	Samuel Nelson.	Justices.
"	Robert C. Grier, &	
"	John A. Campbell.	

William Thomas Carroll Clerk.

Proclamation being made the Court was opened.

On motion first made to the Court in this behalf by N. C. M. Dean Esquire it is ordered that John Livingston Esquire of New York be admitted to practice as an Attorney and Counsellor of this Court and he was admitted accordingly.

On motion first made to the Court in this behalf by Hon R. H. Thompson it is ordered that John F Ustick Esquire of Indiana be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly

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58 The Blue Water Valley Canal Company vs Hoffman & Henry Lovett

The argument of this cause was commenced by Mr Stanbery of counsel for the plaintiffs in error

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59. Nathaniel Edson vs. Appt A. G. Young

Appeal from the Circuit Court of the United States for the Eastern District of Louisiana. This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Louisiana and it appearing to the Court here that no appearance of counsel has been entered in this cause it is therefore fur-

rule to the 59th rule of this Court, now considered, ordered and adjudged by this Court that this cause be and the same is hereby dismissed with costs and that this cause be and the same is hereby remanded to the said Circuit Court to be proceeded in according to law and justice.

Pr. Mr. Jus Wayne

Proclamation being made the Court is adjourned until Thursday morning at eleven o'clock

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable	Roger B Taney	Chief Justice
"	John M. Clean	
"	James M. Wayne	
"	John Catron	
"	Peter V. Daniel	Associate
"	Samuel Nelson	Justices
"	Robert C. Grier	
"	John A Campbell	
"	Nathan Clifford	

William Selden, Esquire Marshal
William Thomas Carroll Clerk

Proclamation being made the Court was opened.

On motion duly made by the Court for the day by Mr S. S. Baxter it was ordered that Oscar Hitchcock Esquire of Minnesota be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

	Custis Coombs Compl'ts & Appt. vs Appts.	Appeal from the Circuit Court of the United States for the District of Columbia.
37.	John L. Hodge, Admr of Anna Hodge dec'd, William L. Hodge & James Love	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Columbia and was argued by counsel. On consideration whereof it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby reversed with costs, and that this cause be and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity to the opinion of this Court, and as to law and justice shall appertain.

Per. Mr. Justice Campbell.

45	Henry Hall, Plff in Er. vs. Caleb B Smith et al	In error to the Circuit Court of the United States for the District of Indiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Indiana, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby reversed with costs, and that this cause be and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity to the opinion of this Court and as to law and justice shall appertain.

Per Mr. Jus. Grier.

3.	Rufus Allen, George H. Allen Edward F. Allen, William Allen, and Cyrus Whitcomb vs. Libts & Appts Henry L. Newberry, Claim't of the Steamboat "Fashion", her Engine, Machinery &c.	Appeal from the District Court of the United States for the District of Wisconsin.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Wisconsin and was argued by counsel. On consideration whereof, it is now here ordered, adjudged and decreed by this Court that the decree of the said District Court in this cause be and the same is hereby affirmed with costs.

Ds Mr Justice Nelson.

Concurring - Mr Justs Grier, Mr Justs Catron, & Mr Justs Wayne.

George Smith. Appt		Appeal from the Dist
39	vs.	Court of the United
John F. Aiton		States for the District
		of Wisconsin.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Wisconsin and was argued by counsel

On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said District Court in this cause be and the same is hereby affirmed with costs and that this cause be and the same is hereby remanded to the said District Court for further proceedings to be had therein in conformity to the opinion of this Court and as to law and justice shall appertain

Per. Mr. Justice Catron.

	The Brig James Gray William Cushing, et als, vs. The owners of the Ship "Rose" and the Steamer "Conrad Chinch".	Appeal from the Circuit Court of the United States for the District of South Carolina.
33.		

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of South Carolina and was argued by counsel. On consideration whereof it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby reversed, that the Brig James Gray and the Steamer Conrad Chinch do equally, share and share alike, pay the costs in this, and in the District and Circuit Courts in this cause, and that this cause be and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity to the opinion of this Court and as to law and justice shall appertain.

Per Mr. Ch. Jus. Taney

The People of the State of New York, ex rel. Asa Butler & al vs. Sheriff in er. Edgar C. Dibble County Judge &c.

The argument of this cause was commenced by Mr. S. L. Brown of counsel for the plaintiffs in error and continued by Mr. Mastindale of counsel for the defendant in error

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Admiralty Rule.

No 12

Ordered that the twelfth rule of practice prescribed by this Court at December Term 1844. in causes of admiralty and maritime jurisdiction be and the same is hereby repealed and the following rule of practice is substituted in its place.

"In all suits by material men for supplies or repairs or other necessaries for a foreign ship or a ship in a foreign port the libellant may proceed against the ship and freight in rem or against the master owner agent or consignee. And the like proceeding in personam but not in rem shall apply to cases of domestic ships

for supplies repairs & other necessaries."

The rules to take effect and be in force from and after the first day of May 1859.

Order of Court

Ordered that the Clerk of this Court cause a sufficient number of copies of the order passed at the present term superseding the 12th rule in cases of admiralty and maritime jurisdiction and substituting a new rule in its place, to be furnished to enable him to send one copy to the Clerk of every District Court of the United States, and that he send them accordingly, paying postage on them and charge the cost of printing and postage to expenditures of the court at the present term.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Friday February 4th 1859.

Pursuant to adjournment the Court met this morning at the usual hour

Present.

The Honorable	Roger B. Taney	Chief Justice
"	John McLean.	
"	James M. Wayne.	
"	John Catron.	Associate
"	Peter V. Daniel.	Justices.
"	Samuel Nelson,	
"	Robert C. Grier.	
"	John A. Campbell,	
"	Nathan Clifford	

William Sutton Esquire, Marshal
William Thomas Carroll Clerk.

Proclamation having been made the Court is opened

On motion [illegible] was admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly

301 Augustus H. Walker
vs
Melville Godman

to come to the Circuit Court of the United States for the Eastern District of Louisiana. And now, to wit, on motion of counsel for the defendant it is ordered and read in open Court the following certificate, to wit:

"Circuit Court of the United States for the Fifth Circuit and Eastern District of Louisiana

Melville Godman
vs.
Augustus H. Walker

No. 2706.

I hereby certify that on the 2nd day of July A.D. 1858. the plaintiff in the above entitled cause did recover a final judgment against the defendant therein in the said Court in words and figures as follows: viz:

April Term 1858.

New Orleans. Friday, 2 July 1858.

The following judgment was this day rendered from Hon: J. H. Campbell Presiding Judge, with an order that it be recorded.—

Melville Godman.
vs. No 2706
Augustus H Walker

The Court having
considered this cause
doth now by reason
of the law and the
evidence duly adjudge and decree that
the plaintiff Melville Godman do have
and recover judgment against the defendant Augustus H. Walker for the sum of
Nineteen hundred and eighty dollars -
$1980 00/100 with interest thereon at the rate
of eight per cent per annum from 1st
December 1853 until paid and three dollars
and fifty cents of protest and costs of
suit - And on the 17th day July 1858. a writ of
error was duly taken out and filed by the
said defendant Augustus H Walker as
appears by the Decree Term A.D. 1858.
of the Supreme Court of the United States
All which appears of record in this office

Witness my hand and the
Seal of said Court at New
Orleans this 18th January
A.D. 1859

E H Gurley, Clerk

and having stated that the plaintiff

in said Court or in any failed to file the record of said cause in this court or in any way to prosecute said writ of error now has moved the Court in pursuance of the 65th rule of this Court to have this writ of error docketed and dismissed. - And consideration whereof it is now here ordered and adjudged by this Court that this writ of error to the District Court of the United States for the Eastern District of Louisiana be and the same is hereby docketed and dismissed with costs, and that this cause be and the same is hereby remanded to the said District Court for further proceedings to be had therein in conformity to law and justice the said writ of error notwithstanding

per W.S. Thos. Taney

—Order of Court.—

Ordered that the Clerk of this Court collect all the rules adopted by this Court from time to time, that he designate those which are obsolete or have been repealed, that he arrange and classify all those now in force under their appropriate heads, and that he report the same to this Court.

Thomas A. Swan and Chas. Palmer
Managers of the Swan Towboat Company Claimants & owners of the Steam Towboat "Hat" and Chas. Palmer
vs.
Charles Millyer owners of the Ship Swan Swan Gunn and Jno. Van Mater & C. Robert and Edward H. Williams Trustees of the United States Steam Ship Company Claimants owners of the Steamship "Crescent City"

Appeal from the District Court of the United States for the Eastern District of Louisiana

On consideration of the suggestion made by Mr Benjamin of Counsel for the aforesaid appellants the Swan Towboat Company Claimants and owners of the Steam Towboat "Hat" on a four day of the present term of this Court to wit, on Friday the 31st day of December last, that there was an error in the entry of the decree by this Court in this case at the December Term 1857 of this Court, to wit: on the 15th day of May 1858, whereby the amount of the damages ordered to be recovered by the said appellants was fixed at the sum of Two hundred and

eight dollars and ninety seven cents instead of eleven hundred and nineteen dollars and six cents, and of the motion made at the same time by the said counsel that the aforesaid decree be amended and that a decree for said sum of Eleven hundred and nineteen dollars and six cents be now entered in favor of the said appellants - It is now here considered by this Court that the said appellants are entitled to a decree for said amount of Eleven hundred and nineteen dollars and six cents - Whereupon it is now here ordered, adjudged and decreed by this Court that the said appellants Thomas A. Lurty and Elvin Palmer, Managers of the Ocean Towboat Company, Claimants and Owners of the Steam Towboat Star and Elvin Palmer do have and recover the aforesaid sum of Eleven hundred and nineteen dollars and six cents of and from the aforesaid appellees George Law, Marshall O. Roberts and Bowes K. McClaine, Trustees of the United States Mail Steam Ship Company, Claimants and Owners of the Steam Ship Crescent City, and that the said

of plaintiffs have execution therefor against the last aforesaid appellees. –

And it is further ordered by the Court that the Clerk of this Court do send a certified copy of this order to the Judge of the said Circuit Court.

Per Mr Jus. Wayne

Richard Bugg and Charles Ballance vs Appellees Robert Forsyth.

In error to the Circuit Court of the United States for the Northern District of Illinois.

This cause came to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois and it appearing to the Court that no citation has been issued in this cause, it is now here on the motion of Mr Washburne of counsel for the defendant in error, ordered and adjudged by this Court that this cause be and the same is hereby dismissed for the want of jurisdiction.

Per Mr Jus. Wayne

John Ludge, John A. Keys, Jesse Fisher & Charles Bullmer	Plffs in er.	Error to the Circuit Court of the United States for the Northern
100.	vs.	
Robert Forsyth.		District of Illinois

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois and it appearing to this Court that no citation has been issued in this case, it is now here on the motion of Mr Washburne of counsel for the defendant in error ordered and adjudged by this Court that this cause be and the same is hereby dismissed for the want of jurisdiction

Per Mr Justice Wayne.

The Saint Louis, Alton & Chicago Railroad Comp'y	Plffs in er.	Error to the Circuit Court of the United
231 vs.		States for the Northern District
Joseph H. Clark, Luther C. Clark, Edward Ludge & Edward Khan.		of Illinois
Jr. Mess trading under the name style & firm of Clark Brothers & Co		

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois and on affidavit filed to the Court that no citation has been issued in this case. It is now here on the motion of Mr Toth of counsel for the defendant in error, ordered and adjudged by this Court that this cause be and the same is hereby dismissed for the want of jurisdiction

Per Mr Justice Wayne.

William Smith, impleaded with Roswell B Goodell
vs
Joseph H Black, Luther S Black, Edward Dodge & Edward Chase, trading under the name, style & firm of Black Brothers & Co.

Error to the Circuit Court of the United States for the Northern District of Illinois

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This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for

for the Northern District of Illinois, and it appearing to the Court that no citation has been issued in this case, it is now here on the motion of Mr Bork of counsel for the defendants in error ordered and adjudged by this Court that this cause be and the same is hereby dismissed for the want of jurisdiction.

Per Mr Jus. Wayne.

Abner C. Harding William L. Ross, Richard Gregg and James Knox, Survivors of William Kellogg, dec'd. vs Plffs in error
Edward Chase

974

In error to the Circuit Court of the United States for the Northern District of Illinois

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois and it appearing to the Court on the suggestion of Mr Brent of counsel for the defendant in error, that the citation in this case is null and void, it is now here on the motion of said counsel ordered

and adjudged by this Court that this cause be and the same is hereby dismissed for the want of jurisdiction

Per Mr Jus: Wayne.

William S. Ross & Alvin C Harding trustees of Wm Kellogg dec'd

vs

Edward Chase.

Ypsilanti in er.

275

In error to the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on transcript of the record from the Circuit Court of the United States for the Northern District of Illinois and it appearing to the Court on the suggestion of Mr Bissell of counsel for the defendant in error that the citation in this case is null and void, it is now here on the motion aforesaid ordered and adjudged by this Court that this cause be and the same is hereby dismissed for the want of jurisdiction.

Per Mr Jus Wayne

William S. Moss, & Abner C. Harding, survivors of William Kellogg, dec'd. vs. Edward Chase.	Pltffs in Error	Error to the Circuit Court of the United States for the Northern District of Illinois.
276		

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois and it appearing to the Court on the suggestion of Mr. Brent of Counsel for the defendant in error, that the citation in this case is null and void it is now here on the motion of said counsel, ordered and adjudged by this Court that this cause be and the same is hereby dismissed for the want of jurisdiction.

Js. Mc. Jus. Wayne.

William S. Moss, Richard Gregg, James Knox, & Abner C. Harding, Survivors of Wm. Kellogg, dec'd. vs. Edward Chase.	Pltffs in Error	Error to the Circuit Court of the United States for the Northern District of Illinois
277		

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of Illinois and it appearing to the Court on the suggestion of Mr Grant of counsel for the defendant in error that the citation in this case is null and void, & it is ordered on the motion of said counsel ordered and adjudged by this Court that this cause be and the same is hereby dismissed for the want of jurisdiction

Per Mr Justice Wayne

William B. Ogden, Charles J. Clarke, Abner L. Harding, James Knox, and Henry Lightner, Executors of William Kellogg dec'd

278. vs.

Edward Chase.

In error to the District Court of the United States for the Northern District of Illinois

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of Illinois, and it appearing to the Court on the suggestion of Mr Grant of

counsel for the defendant in error that the citation in this case is null and void, it is now here on the motion of said counsel ordered and adjudged by this court that this cause be and the same is hereby dismissed for the want of jurisdiction.

Per Mr. Justice Wayne.

60 The People of the State of New York, ex rel. Asa Cuttle &c. — Pffs in Er
vs
Edgar C. Dibble, County Judge &c.

The argument of this cause was continued by Mr. Martindale of counsel for the defendant in error and concluded by Mr. Gillet of counsel for the plaintiffs in error.

Proclamation being made the Court is adjourned until Monday morning at eleven o'clock.

Pursuant to anjournment the Court met this morning at the Capitol.

Present

The Honorable	Roger B Taney,	Chief Justice
" "	John McLean	
" "	James M Wayne,	
" "	Peter V. Daniel,	Associate
" "	Samuel Nelson,	Justices
" "	Robert C. Grier,	
" "	John A. Campbell,	
" "	Nathan Clifford.	

William Selden, Esquire Marshal.
William Thomas Carroll Clerk.

Proclamation being made the Court opened

On motion first made to the Court in this behalf by Charles J Fotter, Esquire it is ordered that Richard Rowe Esquire of New York be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

On motion first made to the Court in this behalf by N. C. McLean, Esquire, it is ordered that Manning F. Force Esquire of Ohio be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

	Thomas Maguire Claim't of the Steamer 'Goliah' vs. Stephen Card. Libt.	Appeal from the Circuit Court of the United States for the District of California

16

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of California and was argued by counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby reversed with costs, and that this cause be and the same is hereby remanded to the said Circuit Court with directions to dismiss the libel in this case. Js. Wm. Jus. Nelson Dissenting. Wm. Jus. Wayne.

61 The New York & Liverpool U. States Mail Steamship Co. Claim'ts of Steamship Jacksonville vs. Appts. Alvin P. Kimball

The argument of this cause was commenced by Mr. Potter of counsel for the Appellant, continued by Mr. de Forest of counsel for the Appellee and concluded by Mr. Potter for the Appellants.

52. Daniel Foreman jas. vs. Pitfield Woodward & Quackenbush

Mr. Sprague submitted to the Court an argument in print in behalf of the defendants in error

Ordered that Longyear be substituted as Counsel in the place of Mr. Cook

Tuesday, February 8th 1859

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable	Roger B. Taney,	Chief Justice
" "	James M. Wayne	
" "	Peter V. Daniel,	
" "	Samuel Nelson	Associate
" "	Robert C. Grier	Justices
" "	John A. Campbell	
" "	Nathan Clifford,	

William Tilden Esquire Marshal.
William Thomas Carroll, Clerk.

Proclamation being made the Court was opened.

On motion first made to the Court in this behalf by Mr Reverdy Johnson, it was ordered that Thomas Ewing Jr. Esquire of Kansas Territory Josiah McRoberts Esquire of Illinois and Robert H. Smith Esquire of Alabama be admitted to practice as Attorneys and Counsellors of this Court and they were severally sworn accordingly.

On motion first made to the Court on the behalf by Hon. Justin Pitch - it is ordered that John H Rankin Esquire of Missouri be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly

62 John Pemberton Liquidator of the Merchants Ins. Co. Complt. vs. Appt
Edward Lockett & al. Appellees

The argument of this cause was commenced by the Counsel for the appellant and continued by Mr Bradley of Counsel for the appellees and by Mr Reverdy Johnson of Counsel for the appellant.

Proclamation being made the Court is adjourned until tomorrow morning at ten o'clock

Wednesday, February 9th 1859.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable	Roger B. Taney	Chief Justice
" "	John McLean	
" "	James M. Wayne	
" "	John Catron,	
" "	Peter V. Daniel,	Associate
" "	Samuel Nelson,	Justices.
" "	Robert C. Grier,	
" "	John A. Campbell,	
" "	Nathan Clifford.	

William Thomas Esquire Marshal
William Thomas Carroll Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court on the behalf by Mr Montgomery Blair it is ordered that Robert A. Hatcher Esquire of Missouri be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr Richd H. Thompson it is ordered that Daniel W. Voorhees Esquire of Indiana be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly

On motion first made to the Court in this behalf by Mr Attorney Genl Black it is ordered that James H. Crane Esquire of California, and J. Buchanan Henry Esquire of New York be admitted to practice as Attorneys and Counsellors of this Court and they were severally sworn accordingly

Thos Chamberlain for Claimts of the Fayetteville Cogdensburgh vs. Appts

and

Chas C. Ward for Survivors &c vs. Appts

Thos Chamberlain for Claimts of the Fayetteville Cogdensburgh

In reply to the motion of Mr Swayne, M'Lean Justice Sawyer announced that it was the settled practice of the Court that cross appeals in this Court should be

a quo together as one case and that the Defendant & plaintiff in the Court below should open and conclude the case in this Court.

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62 John Penbirton, Liquidator of the Mechanics Insce Comp.y vs Appts
Edward Corbett & al.

The argument of this cause was concluded by Mr Key Johnson of counsel for the appellant.

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63 Nicholas B. Worthington vs Appts
William H. Phelps.

The argument of this cause was commenced by Mr Mathews of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Pursuant to adjournment the Court met this morning at the Capitol

Present.

The Hon'ble	Roger B. Taney	Chief Justice
" "	John McLean	
" "	James M. Wayne	
" "	John Catron,	Associate
" "	Peter V. Daniel,	Justices.
" "	Samuel Nelson	
" "	Robert C. Grier,	
" "	John A. Campbell &	
" "	Nathan Clifford	

William Tilden, Esquire, Marshal
William Thomas Carroll Clerk.

Proclamation being made the Court is adjourned

Nicholas B. Marburg vs William A. Phelps	The argument of this cause was continued by Mr. Blair of counsel for the defendant in error, and concluded by Mr. Hendy Johnson of counsel for the plaintiff in error.

63

	Phila Chamberlain Jar. Clerk of the Corporation Aqueduct.	The argument of this case was commenced by Mr Newberry of counsel for the Libellants
14	vs. Appts	
	Chas D. Ward Jar. Libts	
	and	
	Chas D. Ward Jar. Libts	
80	vs Appts	
	Phila Chamberlain Jar. Clerk of the Corporation Aqueduct.	

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock

Pursuant to adjournment the Court met this morning at the Capitol

Present.

The Honorable	Roger B. Taney	Chief Justice
" "	John McLean,	
" "	James M. Wayne,	
" "	John Catron,	
" "	Peter V. Daniel,	Associate
" "	Samuel Nelson,	Justices.
" "	Robert C. Grier,	
" "	John A. Campbell,	
" "	Nathan Clifford.	

William Selden Esquire Marshal,
William Thomas Carroll, Clerk

Proclamation being made the Court is opened

The Board of Commissioners for the County of Knox. Pltffs in Er. vs. David C. Mattox.	Mr McKean of counsel for the defendant in error having

71

filed and read in open Court a suggestion of a diminution of the record in this case in the words and figures following to wit:- The said

record is defective in not showing that the demurrer of the defendant in the Court below to the application of the plaintiff to the third plea of said defendant was overruled according to the truth as it in fact existed."

By reason of which omission and errors aforesaid the said counsel now here moved the Court to award a writ of certiorari to be directed to the Judges of the Circuit Court of the United States for the District of Indiana commanding them that searching the records and proceedings of said Court in this cause they should certify to this Court under the seal of the said Circuit Court whatever omissions and errors shall be found - On consideration whereof, it is now here ordered and adjudged by this Court that a writ of certiorari be and the same is hereby awarded to be issued forthwith and to be directed to the Judges of the said Circuit Court commanding them that searching the records and proceedings aforesaid they forthwith certify to this court under the seal of the said

Circuit Court whatever omissions and errors shall be found in this cause and return the same with the said writ of certiorari forthwith to this Court.

Per Mr. Chief Justice Taney

Sampson & Tappan, Claimants of the Ship Shark vs. Appellees
Samuel Welch, & al.

Mr. Phillips of counsel for the appellees moved the Court to dismiss this appeal for the want of jurisdiction on the ground that the value of the matter in dispute exclusive of costs does not exceed Two thousand dollars - Whereupon it is now here ordered by this Court that this motion be and the same is hereby set down for next Friday the 18th instant provided that the aforesaid counsel give the counsel for the appellants reasonable notice.

984

6 The State of Missouri
vs. Compt
The State of Kentucky

Mr Hatcher, Solicitor for the State of Missouri now here moves the Court for leave to file a Bill of complaint herewith exhibited in a controversy which has arisen between said States touching the boundaries and jurisdiction of said States and that the proper process may issue thereon notifying the defendant that such a Bill has been filed and that said defendant may and answer the same.

On consideration whereof and of the prayer in the Bill of complaint exhibited therewith it is now here ordered by the Court that leave to file the said Bill of complaint be and the same is hereby granted and that thereupon the Clerk do issue process as prayed for in this case, returnable to the next term of this Court

Present Mr Chief Justice Taney

6. The State of Missouri. vs. Compt The State of Kentucky. Mr Hoskins of counsel for the complainant having having deposed that the testimony of Jonathan Ramsey of this County in the State of Missouri is important and material for the complainant on the trial of this cause and that said Ramsey is very aged and infirm moves the Court for an order to take the deposition of said Jonathan Ramsey de bene esse. Whereupon this Court not being now here sufficiently advised of what order to make in the premises took time to consider

57 Joseph C. Montgomery et al Exrs of the Texas Republic vs. Appts John A. Anderson & ors. Mr Hunter of counsel for the appellees moved the Court to dismiss this appeal, which was opposed by Mr Polk of counsel for the appellants. Whereupon this Court, not being now here sufficiently advised of and concerning what order to

under in the premises took time to consider.

44	Thos Chamberlain & al Alt's of the Propeller Ogdensburgh vs Respt's & Aff'ts Ebn B. Ward & al, Libts. and Ebn B. Ward & al. Libts. vs & Aff'ts Thos Chamberlain & al Alt's of the Propeller Ogdensburgh.	The argument of these cases was continued by Mr Newbury of counsel for the Libellants and by Mr Mowbray of counsel for the Respondents.
80.		

Proclamation being made the Court is adjourned until Monday morning at eleven o'clock

Pursuant to adjournment the Court met this morning at the Capitol

Present.

The Honorable	Roger B. Taney	Chief Justice
" "	John McLean	
" "	James M. Wayne	
" "	John Catron	
" "	Peter V. Daniel,	Associate
" "	Samuel Nelson,	Justices.
" "	Robert C. Grier	
" "	John A. Campbell	
" "	Nathan Clifford.	

William Selden Esquire, Marshal.
William Thomas Carroll Clerk.

Proclamation being made the Court is opened.

On motion just made to the Court in this behalf by Mr Kennedy Johnson it is ordered that Thomas C. Lyon Esquire of Knoxville Tennessee be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by H. P. Spalding Esquire. it is ordered that John G. Camp Esquire of Cleveland Ohio be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

55.	The United States vs John A. Sutter	Appeal from the District Court of the United States for the Northern District of California.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of California and was argued by counsel. On consideration whereof it is now here ordered, adjudged and decreed by this Court that so much of the decree of the said District Court as confirms the claim of John A Sutter to the eleven square leagues of land situated on the American, Sacramento and Feather rivers known by the name of New Helvetia and which was

granted to the said John A. Sutter by Governor Juan B. Alvarado on the 18th of June 1841, as set forth and described in said decree be and the same is hereby affirmed. - And it is further ordered, adjudged and decreed by this Court that the decree of this Court decree in so far as it confirms a grant for twenty two square leagues of land purporting to have been made to the said John A Sutter by Governor Manuel Micheltorena on the 5th of February 1845 be and the same is hereby reversed and annulled and that this cause be and the same is hereby remanded to the said District Court for further proceedings to be had therein in conformity to the opinion of this Court.

Per Mr Jus. Campbell
Dissenting Mr Jus Clifford & Mr Jus Nelson.

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110 The United States vs. Appts Michael C. Nye. Appeal from the District Court of the United States for the Northern District of California

This cause came on to be heard on the transcript of the record from the District

Court of the United States for the Northern District of California and was argued by counsel - On consideration whereof it is now here ordered, adjudged and decreed by this Court that the decree of the said District Court in this cause be and the same is hereby reversed, and that this cause be and the same is hereby remanded to the said District Court with directions to dismiss the petition of the claimant.

Per Mr. Justice Campbell.

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43. The United States vs. Appts Nathaniel Bassett. Appeal from the District Court of the United States for the Northern District of California

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of California and was argued by counsel - On consideration whereof it is now here ordered, adjudged and decreed by this court that the decree of the said District Court in this cause be

and the same is hereby reversed and that this cause be and the same is hereby remanded to the said District Court with directions to dismiss the petition of the Claimant

Per Mr Justice Campbell.

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52. Francis Martin, adm[r] of Lewis T. Covenau dec[d] vs. Plff in Er.
Christian Hansen

In error to the Circuit Court of the United States for the Eastern District of Louisiana

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Louisiana and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Louisiana

Per Mr Justice Grier

	Charles Belcher, Geo A. Belcher & Wm A. Belcher composing the firm of Charles Belcher & Co vs. Plaintiffs in Er. George C Fairman, Col. State of the Port of New Orleans	In Error to the Circuit Court of the United States for the Eastern District of Louisiana
53		

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Louisiana and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Louisiana.

Per Mr. Justice Nelson.

Jacob B. Brown, Jacob Hassaman Fontaine Beckham, John C. Ursula & George W. Motes vs. Jeffersons. Benjamin Hough.	In error to the Circuit Court of the United States for the East ern District

of Virginia This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Virginia and was argued by counsel - On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

Per Mr. Justice Daniel -

The United States - vs Jeffersons. The City Bank of Columbus	In error to the Circuit Court of the United States for the Southern

56

District of Ohio

This cause came on to be heard on the transcript of the record from the Cir-

cuit Court of the United States for the Southern District of Ohio, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed.

Per Mr. Justice Wayne.

Philo Chamberlain, &c. Clerk of the Deputies Ogdensburgh
vs Appeal from Appts
Elon B. Ward, &c.
and
Elon B. Ward, &c. Appts
vs.
Philo Chamberlain, &c. Clerk of the Deputies Ogdensburgh. Appts

611

80

The argument of this cause was continued by Mr. Spalding of counsel for the respondents.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Tuesday, February 15th 1859.

Pursuant to adjournment the Court met this morning at the Capitol

Present.

The Honorable	Roger B. Taney,	Chief Justice
" "	John McLean.	
" "	James M. Wayne,	
" "	John Catron,	
" "	Peter V. Daniel,	Associate
" "	Samuel Nelson,	Justices
" "	Robert C. Grier,	
" "	John A Campbell,	
" "	Nathan Clifford	

William Tilden, Esquire, Marshal
William Thomas Carroll, Clerk

Proclamation being made the Court is opened.

6.	The State of Missouri vs The State of Kentucky	Bill in Equity

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On consideration of the motion made in this cause on the 11th instant by Mr Hatcher Solicitor for the Complainant It is now here ordered that leave be and

is hereby given to the Complainant to take the deposition of Jonathan Ramsey of Cole County State of Missouri de bene esse in the above mentioned case - upon thirty days notice of the time and place at which it is to be taken to be given by the Governor of Missouri to the Governor of Kentucky

The deposition to be taken before a Commissioner of the United States for the District of Missouri, - and to be forthwith returned by him to the Clerk of this Court, the name of the case to be endorsed on the envelope, and the name of the Commissioner also written thereon by him.

Ord. per Mr. Ch. Jus. Taney -

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60 Wm Chamberlain, gal. Admr of the Petition Aganbright vs. Petitr & Appts Chas B. Ward & al.

and

80. Chas B Ward, gal. Libts & Appts Wm Chamberlain, gal. Admr of the Petition Aganbright

The argument of these cases was continued by Mr. Spalding of counsel for the respondents, and concluded by Mr. Swayne of counsel for the Libellants.

65. Edwin M. Chaffee Plff in er. vs The Boston Belting Company

The argument of this cause was commenced by Wm. H. Seward of counsel for the plaintiff in error

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Wednesday, February 16th 1859.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable	Roger B. Taney	Chief Justice
" "	John McLean,	
" "	James M. Wayne,	
" "	John Catron,	
" "	Peter V. Daniel,	Associate
" "	Samuel Nelson,	Justices
" "	Robert C. Grier,	
" "	John A. Campbell,	
" "	Nathan Clifford	

William Selden Esquire Marshal.
William Thomas Carroll Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court on this behalf by Hon. Reverdy Johnson, it is ordered that Sidney T. Harris, Esquire of New York City be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

65 Edwin M. Chaffee Plff in Er. } In C. A. Law
vs } and of Counsel
The Boston Belting Comp'y. } for the plaintiff in error having filed and read in open Court a suggestion of a diminution of the record in this case in the words and figures following, viz:

"That the said record is defective in not showing that the Bill of Exceptions therein contained was signed and sealed by the Justice who allowed the same and that it doth not appear that judgment was entered on the Docket in said cause according to the truth and as it in fact existed."

By reason of which omissions and errors aforesaid the said Counsel now here moved the Court to award a writ of certiorari to be directed to the Judges of the Circuit Court of the United States for the District of Massachusetts commanding them that searching the records and proceedings of said Court in this cause they should certify to this Court under the seal of the said Circuit Court whatever omissions and errors shall be

found. On consideration whereof, it is now here ordered and adjudged by this Court that a writ of certiorari be and the same is hereby awarded to be issued forth and sent to be directed to the Judges of the said Circuit Court commanding them that searching the record and proceedings aforesaid they forthwith certify to this Court under the seal of the said Circuit Court whatever omissions and errors shall be found in this cause and return the same with the said writ of certiorari forthwith to this Court.

By the Ch. Jus. Taney

66 | George Kendall &c. vs. Joseph G. Hosier. | The argument of this cause was commenced by Mr. Jencks of counsel for the plaintiffs in error continued by Mr. Key of counsel for the defendant in error and concluded by Mr. Jencks for the plaintiffs in error

67 William Penn plff in er.
vs.
Peter H. Hoban

The argument of this cause was continued by Mr Gibson of counsel for the plaintiff in error

Proclamation being made the court is adjourned until tomorrow morning at eleven o'clock.

Thursday February 17th 1859.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable	Roger B. Taney	Chief Justice
"	John McLean	
"	James M. Wayne	
"	John Catron	
"	Peter V. Daniel,	Associate
"	Samuel Nelson,	Justices.
"	Robert C. Grier,	
"	John A. Campbell,	
"	Nathan Clifford	

William Tilden Esquire Marshal.
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Hon. Hamilton R. Gamble, it is ordered that Nathan A. Strong Esquire of Missouri, be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

67	William Penn Piffiner. vs. Peter H. Holme.	The argument of this cause was Continued by Mr. Gibson for the plaintiff in error and by Mr. Leonard of counsel for the defendant in error.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Friday, February 18th 1859.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable	Roger B. Taney,	Chief Justice
"	John, McLean,	
"	James M. Wayne,	
"	John Catron,	
"	Peter V. Daniel,	Associate
"	Samuel Nelson,	Justices.
"	Robert C. Grier,	
"	John A. Campbell,	
"	Nathan Clifford	

William Selden Esquire, Marshal
William Thomas Carroll Clerk.

Proclamation being made the Court is opened

76	John N. Abl. Appt	No. 76 Copies of records
	vs	for the application moved
1857	Lemuel B. Johnson	the Court to affirm the
		mandate in this case

ordered to the Supreme Court of the State of Minnesota and to have the same directed immediately to the District Court of the United States for the District

of Minnesota Whereupon this Court not being now fully advised of and concerning what order to make in the premises took time to consider.

John N Irwin. Appt

vs

William T Mackubbin

77 & 1107

Mr Cooper of counsel for the appellant moved the Court to affirm the decree in this cause appealed to this Supreme Court of the Territory of Minnesota and to have the same directed now further, to the District Court of the United States for the District of Minnesota. Whereupon this Court not being now fully advised of and concerning what order to make in the premises took time to consider.

The United States

vs Appts

Charles Sodat

502

On the motion of Mr Bayard it is ordered by the Court that his motion to dismiss this cause filed on the 16th instant be and the same is hereby set down for argument on next Friday the 25th instant.

James L. Fiske et al. vs Gilpin et. Bushrod H Foley,	The Evening of counsel for the plaintiffs in error moved the Court for an order removing the record in this case to the Court here with permission to amend the writ of error and citation by inserting them returnable to the first day of this next term and for permission to counsel to sign the assignment of errors. Whereupon this Court not being sufficiently advised of and presently what order to make in the premises took time to consider.

Wm Richmond Appt vs The City of Milwaukie et al	Mr Brown from the bill of costs for the defendant having shown to the court by the affidavit of A. G. Richmond and the admission of the attorney for the appellees that the value of the property in dispute is in excess of $2.000. wherefore the Court be overruled and decide the case upon its merits without further argument. Whereupon this court not being sure

sufficiently amount of costs and ought order to enable us the former term time to consider.

18. Thomas Newbould. vs. Gilpin vs. Robert Forsyth. Mr Ballantine for the Gilpins moved the Court for leave to withdraw the demurrer of the second Gilpin to the Amended Bill upon the ground of insufficiently amount of costs and ought order to enable us the former term time to consider

21 Charles Ballantine & Gilpin vs. Robert Forsyth & al Mr Ballantine for Mr Gillet having filed a Replication of Mr Williams the counsel for the defendants ought to amend and by this cause on the records moved the Court for leave to withdraw this cause on the record upon this Court not being now sufficiently amount of costs and ought order to enable us the former term time to consider

24	Lloyd N. Rogers adm.r &c vs Appl.t Wm. May. admr &c and Lloyd N. Rogers admr &c vs Appl.t Joseph C. Lane by his next friend Mary Robertson	On the motion of the Board of Council for the appellant it is ordered by the Court that these causes be continued on next Friday the 25th instant
67	William Penn vs Appellee. Wm. H. Hume	The argument of this cause was concluded by Mr Gamble of counsel for the plaintiff in error.
68	Alex. H. Custis, vs Appellee. Thomas L. Tarbury	The argument of this cause was commenced by Mr Gibson of counsel for the plaintiff in error continued by Mr Young of Counsel for the defendant in error and concluded by Mr Gamble of Counsel for the plaintiff in error.

Proclamation postponed. The Court is adjourned until Monday morning at eleven o'clock

Pursuant to adjournment the Court met this morning at the usual hour.

Present.

The Honble	Roger B Taney	Chief Justice
"	John McLean	
"	James M Wayne	
"	John Catron	Associate
"	Peter V Daniel	Justices.
"	Samuel Nelson,	
"	Robert C. Grier,	
"	John A Campbell,	
"	Nathan Clifford	

William Tilden, Esquire Marshal.
William Thomas Carroll Clerk

Proclamation having been made the Court was found.

On motion first made to the Court in this behalf by R. H. Gillet, Esquire it is ordered that William W. Mann Esquire of New York be admitted to practise as an Attorney and Counsellor of this Court and he was sworn accordingly.

On motion ordered to the Court in this behalf by Mr Justice Johnson it is ordered that Abram D. Olin Esquire of New York be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly

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The New York and Liverpool United States Mail Steam-Ship Company Claimants of the Steam Ship Pacific her tackle &c. Appts

vs.

Otis P. Rumball, Libt.

Appeal from the Circuit Court of the United States for the Southern District of New York

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This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York and was argued by counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs and interest until paid at the same rate per annum

that similar decrees been in the Courts of the State of New York.

Per Mr Just: Clifford

The White Water Valley Canal Company.	Appeal from the Circuit Court of the United States for the District of Indiana.
58 vs Appellee Henry Lathrop et al.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Indiana and was argued by Counsel - On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar decrees bear in the Courts of the State of Indiana.

Per Mr Just: Campbell.

The People of the State of New York ex rel. Asahel Van Wormer Jr. and Anza Underhill

vs

Edgar M. Cullen County Judge.

In the Supreme Court of the State of New York.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of New York and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the Court of Appeals in this cause be and the same is hereby affirmed with costs, and that this cause be and the same is hereby remanded to the said Supreme Court to the end of proceedings and judgment of the said Court of Appeals in the premises have been complied and now remain.

By the Court. Gridley

John Pemberton Executor of the Last will & testament &c.		Appeal from the Circuit Court of the United States for the District of Columbia.
62	vs.	
Edward Lockett, James D. Hunt and Henry D. Johnson	Appellees.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Columbia and was argued by counsel, On consideration whereof, it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs, and that this cause be and the same is hereby remanded to the said Circuit Court with directions to dismiss the complainants bill.

Per Curiam Nelson

David Foreman Peter Foreman
George H. Buckley Barnard Foreman
John Fuhrman Daniel Foreman
and Jacob Foreman -

54 vs Appts in Er.

William A. Hoffman & Nathan
L. Chambers late partners in business
under the firm of Hoffman &
Chambers.

Error to the Circuit Court of the United States for the District of Ohio

This cause coming on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Ohio and was argued by counsel On consideration whereof it is ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs and interest until paid at the rate of six per centum that mandate, &c. issue and bear in the Courts of the State of Ohio

Opinion Justice Catron

19	Thomas Meehan Pltff in Er. vs Robert Forsyth	On consideration of the motion made in this cause last Friday the 18th instant by Mr Ballance for leave to withdraw the bail piece of the writ of this cause from the files of the Court in order to bring the cause here again by legal process, it is now here ordered by the Court that the leave prayed for be and the same is hereby granted upon the plaintiffs in error or their counsel giving a receipt therefor with the Clerk of this Court and return the same hereby ordered to be filed on the files of this Court.
20	Charles Ballance vs Pltff Robert Forsyth.	On consideration of the motion made in this cause last Friday the 18th instant, by Mr Ballance and of the stipulation by him and Mr Williams of counsel for the defendant in error to consult this cause be waived on irregularities and to try the cause on its merits, - it is now here ordered by the Court that the said motion be and the same

is hereby accepted - And it is further ordered by the court that leave be and the same is hereby granted the appellant to withdraw him to bring the same by legal process to withdraw the transcript of the record from the files of this Court upon his giving a receipt therefor with the Clerk of this Court and upon the Clerk of this Court is directed to place on the files in this cause.

James R. Pope &c. vs. Jefferson. Buford H. Irby

In consideration of the motion made in this cause last Friday the 18th inst by McEwing on behalf of the plaintiffs in error for this court to remand this cause to the Court below with leave to amend the the writ of error and citation, it is now here ordered by this Court that the said motion be and the same is hereby overruled - And it is further ordered by this Court that leave be and the same is hereby granted to the said plaintiffs in error in this cause to withdraw the transcript of the record now on the files of this Court in order

that the same may be used in connection with the former and legal proceedings to bring the case here upon this hearing with the transcript a receipt therefor and which the Court is directed to place on the files in the case.

James D. Porter et al	vs	Error to the Court of Appeals for the State of Kentucky.
202 Burwood H Foley		

This cause came on to be heard on the transcript of the record from the Court of Appeals for the State of Kentucky, and it appearing to this Court that the writ of error and citation was void, it is therefore now here ordered and adjudged by this Court that this cause be and the same is hereby dismissed for the want of jurisdiction.

Per Mr. Ch. Jus. Taney.

No. 1857

John N. Ahl. Appt
vs
Roswell B. Johnson

In consideration of the motion made in this cause on last Friday the 18th instant by the Counsel for the appellant. It is now here ordered by the Court that the judgment entered by this Court in this case at the last term to wit: on Tuesday 18th day of May A.D. 1858. be and the same is hereby reformed nunc pro tunc that the cause instead of being remanded to the Supreme Court of the Territory be sent to the Supreme Court of the State of Minnesota and that the mandate of this Court in the case be directed to the Supreme Court of the State of Minnesota

No. 1857

John R. Stevens, Appt
vs
William R. Marshall, Jas

In consideration of the motion made in this cause last Friday the 18th instant by the Counsel for the Appellant it is now here ordered by the Court that the judgment entered by this Court in this case at the last term to wit: on Friday

the 11th day of May A.D. 1858. be and the same is hereby reformed nunc pro tunc. that the cause mishad of being remanded to the Supreme Court of the Territory be sent to the Supreme Court of the State of Minnesota and that the mandate of this Court in the cause be directed to the Supreme Court of the State of Minnesota

69 Russell Sturgis Appt
vs.
John Clough et al, Admrs
of the Estate of K.L. Maloy &c

The argument of this cause was commenced by Mr. Benedict of Counsel for the appellant.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Tuesday, February 22d 1859.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable	Roger B Taney.	Chief Justice
" "	John McLean.	
" "	James M. Wayne.	
" "	John Catron,	Associate
" "	Peter V. Daniel,	Justices
" "	Samuel Nelson,	
" "	Robert C. Grier	
" "	John A. Campbell &	
" "	Nathan Clifford	

William Selden Esquire, Marshal
William Thomas Carroll Clerk

Proclamation being made the Court is opened

John Doe ex dem.	In error to the Cir
Francis A. Bickens	cuit Court of the
vs	United States for the
Alonzo Makara.	Southern District
	of Ohio

51

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the

Southern District of Ohio, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby reversed with costs, and that this cause be and the same is hereby remanded to the said Circuit Court with directions to award a venire facias de novo.

Per Mr. Justice Catron.

69. Russell Sturgis Appt. vs. John Clough & al. Claimants of the Steamboat R. L. Inabyre.

The argument of this cause was continued by Mr. McMahon of counsel for the appellees, and concluded by Mr. Bennett of counsel for the appellants.

Proclamation being made the Court is adjourned until to-morrow morning at eleven o'clock.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable	Roger B. Taney	Chief Justice
" "	John McLean.	
" "	James M Wayne,	
" "	John Catron,	Associate
" "	Peter V. Daniel,	Justices
" "	Samuel Nelson,	
" "	Robert C. Grier.	
" "	John A Campbell	
" "	Nathan Clifford.	

William Silsby, Esquire, Marshal.
William Thomas Carroll Clerk.

Proclamation being made the Court is opened

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70 The Board of Commissioners of the County of Knox vs. Aspinwall et al.

The argument of this cause was commenced by Mr R. H. Thompson of counsel for the plaintiffs in error and continued by Mr Benjamin of counsel for the defendants in error.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Thursday, February 24th 1859.

Pursuant to adjournment the Court met this morning at the Capitol

Present.

The Honorable	Roger B. Taney,	Chief Justice
" "	John McLean,	
" "	James M Wayne,	
" "	John Catron,	Associate
" "	Peter V. Daniel,	Justices.
" "	Samuel Nelson,	
" "	Robert C. Grier,	
" "	John A. Campbell,	
" "	Nathan Clifford	

William Selden, Esquire Marshal.
William Thomas Carroll, Clerk.

Proclamation having been made the Court adjourned.

The Board of Commissioners of the County of Knox. vs Plaintiffs in error.
William H. Offutt

70

The argument of this cause was continued by Mr Linton of counsel for the defendant in error and concluded by Mr Hornday Johnson of counsel for the plaintiffs in error.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable	Roger B Taney	Chief Justice
"	John McLean,	
"	James M. Wayne,	
"	John Catron,	
"	Peter V. Daniel,	Associate
"	Samuel Nelson,	Justices.
"	Robert C. Grier	
"	John A. Campbell,	
"	Nathan Clifford	

William Tobias Esquire, Marshal.
William Thomas Carroll Clerk.

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr Attorney General Black, it is ordered that Robert T Kane and Isaac L Sewell Esquires of Pennsylvania be admitted to practice as Attorneys and Counsellors of this Court and they were severally sworn accordingly.

242. The United States vs. Appts Charles Fossat

Mr Bayard of counsel for the Appts. who are now here, moved the Court for leave to withdraw the motion to dismiss this case filed by him on the 16th instant.

On consideration whereof, it is now here ordered by the Court that leave be and the same is hereby granted him and the case is accordingly withdrawn.

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242 The United States vs Appts Charles Fossat.

Mr. Bayard of counsel for the Appellees moved the Court to order this case for argument on a day certain during the present term for the reasons set forth in his written motion filed this date, which was supported by himself and Mr. Nelson in argument, and opposed by the Attorney General & Black. Whereupon this Court not being now sufficiently advised of and concerning what order to make in the premises took time to consider.

Sampson & Tappan, Claimts. of the Ship Sarah, &c vs. Appts. 284 Samuel Welsh, et al.	The motion filed on the 11th instant to dismiss this appeal was argued by Mr. Scott in support thereof and by Messrs Kane and Wharton in opposition thereto - Whereupon this Court not being now sufficiently advised of and concerning what order to make in the premises took time to consider

Charles McMeekin vs. Appt. 237 Franklin Town	Mr. Taylor of counsel for the appellee having suggested to the Court that Charles McMeekin the appellant had died since the order of appeal was granted in this cause, leaving as his proper representatives Elizabeth Randall, Charles Lane, Nancy Hood, wife of William Hood; Mary Ann Powers, wife of Wesley Powers; Elizabeth Emmett; Louisa Corrigan, wife of Corrigan; Henrietta Turnbull, wife of William Turnbull; Andrew Lear, Charles

Dias and George Dias. Emiline Johnson, wife of Johnson Andrew McMicken Lizzie McMicken wife of R F Stille and the minors Charles M. Hyde and Mary Ellen Dias represented by their guardian F Dias, now here moved the Court for an order that unless the proper substitutes of the said Charles McMicken deceased, shall become parties within the first ten days of the next term of this Court the appellee shall be entitled to have this appeal dismissed - On consideration whereof, it is now here ordered by the Court that unless such representatives become parties within the first ten days of the ensuing term of this Court the appellee shall be entitled to have this appeal dismissed. - Provided, a copy of this order shall be printed in some newspaper at the seat of government in which the laws of the United States shall be printed by authority, for three successive weeks, at least sixty days before the beginning of the next term of this Court.

John C Abny Jr:
vs. Griffin et.
The People of the State of California

329

Mr Abny & Mr Howard of counsel for the defendants in error moved the Court to dismiss this writ of error on the ground that the Court of Sessions from which this writ of error is prosecuted is not the Court of last resort under the laws of California. Whereupon this Court not being now sufficiently advised of and concerning the premises took time to consider.

The White Hair Valley Canal Company.
vs. Apgate
Henry Lafitte, et al.

58

Mr. McKean of counsel for the appellants moved the Court to direct the Trustee to pay the counsel out of the trust fund on the grounds set forth in his written motion on file, and which was opposed by Mr Irving of counsel for the appellees for the reasons set forth in his written brief filed in the case. Whereupon this Court not

Friday, February 25th 1859. Continued.

being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

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94 Lloyd N. Rogers, adm'r &c. vs. Appl't
Henry May, adm'r &c.
—and—
Lloyd N Rogers, adm'r &c
97 vs Appl't
Joseph E Law, by his next friend, Mary Robinson.

On the motion of Mr. Bland of counsel for the appellee and with the assent of Mr. Loose of counsel for the appellants. it is now here ordered by the Court that this cause be set down for argument on next Friday the 4th proximo, both on the motion to dismiss and on the merits.

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71 The Board of Commissioners of the County of Knox. vs Plff's in er.
David L. Wallace.

The argument of this cause was commenced by Mr. R. N. Thompson of counsel for the plaintiffs in error and by Mr. McLean of counsel for the defend-

ant in error.

Proclamation being made, the Court is adjourned until Monday morning at 10 o'clock.

Monday, February 28th 1859.

Pursuant to adjournment the Court met this morning at the Capitol.

Present -

The Honorable	Roger B. Taney.	Chief Justice
"	John McLean.	
"	James M. Wayne.	
"	John Catron.	
"	Peter V. Daniel.	Associate
"	Samuel Nelson.	Justices
"	Robert C. Grier.	
"	John A. Campbell.	
"	Nathan Clifford.	

William Selden, Esquire, Marshal.
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened.

57. Joseph E. Montgomery, Richard Willett Benjamin G. Harrison & James Phillips, Claimants of the Steam Republic, her Tackle &c Appts vs John S. Anderson, Reuben L. Anderson & Erastus A. Gaylord, Libts

Appeal from the Circuit Court of the United States for the District of Missouri.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Missouri, and it appearing to the Court upon an inspection of the record that the said Circuit Court has no jurisdiction of this cause upon the appeal from the District Court to the said Circuit Court. It is therefore now here considered, ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby reversed for the want of jurisdiction in that Court, and that this cause be and the same is hereby remanded to the said Circuit Court with directions to that Court to dismiss the appeal to that Court and to remand the cause to the District Court for a final decree in conformity to the opinion of this Court.

Ord: Mr. Ch. Jus. Taney.

The United States. 242 vs. Appeals Charles Fossat.	On consideration of motion to set this cause down for argument on a particular day made by Mr. Bayard on a prior day of the present term, to wit, on Friday the 25th instant and of the arguments thereupon had as well in support of as against the same motion. It is now here ordered by the Court that said motion be and the same is hereby overruled. But whether the decree of the District Court appealed from by the United States in this case is a final decree or not is a question on which this Court desire to hear further argument; and it is thereupon now here ordered by this Court that counsel be heard on this question on this day week the 6th prox.
John C. Hays, &c 229 vs. Appeals The People of the State of California.	Mr. Howard having applied by letter for leave to withdraw the motion submitted by him last

Friday to dismiss this cause, it is now here considered and ordered by the Court that the leave prayed for be and the same is hereby granted him to withdraw the said motion

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Lewis Richmond. Appt vs The City of Milwaukie Apt	Consideration of the motion in this cause by Mr. Brown on a prior day of this present term to wit, on Friday the 18th instant and of the exhibit and affidavit of counsel submitted thereto, it is now here ordered by the Court that the said motion be and the same is hereby overruled.

Sampson & Tappan, Clerks of the Ship Island &c vs. Appts Samuel Welsh Apt.	Consideration of the motion to dismiss this cause made by Mr. Phillips on a prior day of this present term, to wit on Friday the 18th instant and of the affidavits of counsel thereupon had and

1314

in support of said motion, it is now hereby ordered by the Court that the said motion be and the same is hereby overruled.

. Mr. Chief Justice Taney announced to the Bar that the Court would adjourn on Saturday the 12th of March next that no argument will be heard after Wednesday the 9th instant

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On motion first made to the Court in this behalf by Mr. R. H. Thompson, it is ordered that Robert Brackenridge Jr. Esquire of Indiana be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly

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The Board of Commissioners of the County of Knox. vs. Elijah Ewing & David C. Wallace.

In error. This cause was conducted by Mr. Thompson of counsel for

the plaintiffs in error.

John M. Parker, Appt
vs.
Jonathan B. H. Smith

72

The argument of this cause was commenced by by Mr. Chilton of counsel for the appellant and concluded by Mr. Bartlett of counsel for the appellee.

Postponed being heard the Court is adjourned until tomorrow morning at eleven oclock

Tuesday March 1st 1859.

Pursuant to adjournment the Court met this morning at the Capitol

Present.

The Honorable	John McLean	
"	James M. Wayne,	
"	John Catron,	
"	John A. Campbell,	Associate
"	Samuel Nelson,	Justices.
"	Robert C. Grier,	
"	John A. Campbell,	
"	Nathan Clifford	

William Selden, Esquire, Marshal
William Thomas Carroll, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Hon Stephen A. Douglas it is ordered that Abner S. Lowe and Robert E. Williams, Esquires of Illinois be admitted to practice as Attorneys and Counsellors of this Court and they have severally been accordingly.

72 John M. Walker Appt. vs Jonathan B. H. Smith

The argument of this cause was continued by Mr Davidge of counsel for the appellant.

73 Samuel Pearce Plff in er. vs. The Madison & Indianapolis Railroad Company Def

Mr Brent was submitted to the consideration of the record and printed arguments by Mr Fox of counsel for the plaintiff in error and by Mr Hendricks of counsel for the defendants in error.

74 William P. Lea Appt vs. The Polk County Co Supervisors

The argument of this cause was commenced by Mr J. P. Stanton of counsel for the appellant and continued by Mr R. H. Smith of counsel for the appellees

Pending this argument the Court adjourned until to-morrow morning at eleven o'clock

noon Wednesday March 2d 1859

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable	John McLean,	
"	James M Wayne,	
"	John Catron,	
"	Peter V. Daniel,	Associate
"	Samuel Nelson,	Justices.
"	Robert C. Grier,	
"	John A Campbell,	
"	Nathan Clifford.	

William Seldon, Esquire, Marshal,
William Thomas Carroll Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in that behalf by Mr H. H. Thompson - it is ordered that Andrew J. Sacks, Esquire of Kansas Territory be admitted to practice as an Attorney, and Counsellor of this Court and he was sworn accordingly:

William F Lee Appt vs. The Fire County Supervisors	The record and proceedings in this cause was argued by Messrs Smith & Lyon of counsel for the appellees.

Proclamation being made the Court adjourned until tomorrow morning at nine o'clock.

Thursday March 3d 1859.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable	John McLean	
"	James M. Wayne,	
"	John Catron,	
"	Peter V. Daniel,	Associate
"	Samuel Nelson	Justices
"	Robert C. Grier,	
"	John A. Campbell &	
"	Nathan Clifford	

William Selden, Esquire, Marshal.
William Thomas Carroll Clerk.

Proclamation being made the Court adjourned.

On motion first made to the Court in this behalf by Hon. Wm H Risley, it is ordered that John W. Quinny Esquire of New York be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to this Court in this behalf by Mr. J. J. Chatham. It is ordered that Alfred Ely Esquire of New York be admitted to practice as an Attorney and Counsellor of this Court and it was done accordingly

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On motion first made to this Court in this behalf by Mr Gillet, it is ordered that Francis W. Pickett Esquire of Washington City District of Columbia be admitted to practice as an Attorney and Counsellor of this Court and it was done accordingly

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William F. Lee Appt

vs.

74 The York County Collector Respt

The argument of this cause was commenced by Mr J. M. Campbell of counsel for the Appellant

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Hiram Chamberlain Appt

vs

75 Solomon Meredith Respt

The argument of this cause was commenced by Mr Key of counsel for the plaintiff in error, continued by Mr R. H.

Hopkins of counsel for the defendants in error, and concluded by Mr Pugh for the plaintiff in error.

76	Richard A Hunt vs. Pfiffner. The Atlantic Bank in the City of Brooklyn.	This cause was argued by the Reporter of counsel for the plaintiff in error and submitted by Mr Benjamin on a printed argument on behalf of the defendant in error
77	The Western Telegraph Company - Appellants vs. The Magnetic Telegraph Company, &c.	This cause was argued by the Counsel of counsel for the appellants.

Proclamation being made the Court adjourned until tomorrow morning at ten o'clock

Pursuant to appointment the Court met this morning at the Capitol

Present.

The Honorable Roger B. Taney Chief Justice
" John McLean,
" James M. Wayne.
" John Catron, Associate
" Samuel Nelson, Justices.
" Robert C. Grier
" John A. Campbell,
" Nathan Clifford.

William Sloan, Esquire of Boston
William Hayes Esquire of Ohio

Proclamation being made by Crier

On motion first made to the Court in this behalf by Mr Reverdy Johnson it is ordered that William Tracy Esquire of New York be admitted to practice as an Attorney and Counsellor of this Court and he was accordingly.

Friday. March 4th 1859. Continued

Enoch McCarty, Plaintiff

116

vs.

Garrison H. Rocks, Evalus Rocks and John H. Sydebotham

Mr. C. H. Smith of Counsel for the Plaintiff in error having filed their assignment of errors in this cause and John Hynes administrator of the estate of Enoch McCarty deceased now here moved the Court for leave to enter the appearance of the said administrators as plaintiffs in error, and likewise to prosecute their writ of error. On consideration whereof, it is now here ordered by this Court that the appearance of the said Enoch McCarty and John Hynes administrators as aforesaid be entered as the plaintiffs in error and that the said administrators have and they are hereby made the plaintiffs in error in this cause.

Julian & Stanly as the legal
admrs of Enoch McCarty dec'd
vs. Appellees.
Gurney & Hoyt & Crosby
& Lee & John H Upton & al

Appeal from the Circuit Court of the United States for the District of Indiana

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Indiana and was argued by counsel.

On consideration whereof it is ordered & decreed & adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs and interest on the said sum at the same rate per annum that similar judgments bear in the Courts of the State of Indiana.

Opn. Mr. Jus. McLean

Charles Ballance
vs. Appellees
Joseph L Fahnestock & al

Mr Ballance in the suit having filed the assent of the Williams attorney for defendants that the appearance of the

defendants shall be entered in the same manner as if they were served with process and that the motion heretofore made by him to dismiss the case should be withdrawn, moved the Court that this cause be maintained on the docket for a hearing on the merits - On consideration whereof it is ordered by the Court that the said motion be and the same is hereby overruled

Charles Williams
vs
Officers
Second Municipal

13 H. Williams for the Petitioner having filed the consent of Mr Williams attorney for defendants that the appearance of the defendants shall be entered in the same manner as if they were served with process and that the motion heretofore made by him to dismiss this cause should be withdrawn, moved the court that this cause be maintained on the docket for a hearing on the merits On consideration whereof, it is ordered by the Court that the said motion be and the same is hereby overruled.

Ex parte Thomas
of Elisha C Scarborough
vs. Gilliss & Ex.
Edward Cook

Mr Wilson Gray
of counsel for the
defendant in error has
this day stated to the
Court that on the
31st of December last a writ of error in this
case addressed to the Court
of Appeals of the State of Louisiana was
issued to the Clerk of the said Court
and he assumes the same for want of juris-
diction - which was opposed by Joseph
H Bradley of counsel for the plaintiff in
error. - And on consideration whereof the Court
being of opinion that it has no jurisdiction
of the case until the writ of error is returned,
the said motion is hereby overruled

24	Lloyd N. Rogers admr &c vs Appts Henry May admr &c and Lloyd N. Rogers admr &c vs Appts Joseph E. Sewell by his next friend &c	The motion to dismiss this case was argued by Mr Brent in support thereof and by Mr Coxe in opposition thereto. Whereupon this Court not being now sufficiently advised of and concerning the same doth defer the premises for further time to consider.
75	The Western Telegraph Co. vs Appts Geo. C. Thomson, Jun.	This cause was argued by Mr Constable & Mr Swan of Counsel for the Appellants.

79 John C. Vanness admr of Philip Brady ps. vs Off. in cr. The United States

Mr Campbell argued by Mr Russell and Clark in support of motion for the plaintiff in error and submitted by Mr B. Hunter on the brief of the Attorney General Court of counsel for the defendants in error

Whereupon this cause came the Court aforesaid on until Monday morning at ten o'clock

Monday, March 7th 1839.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Hon.	Roger B. Taney,	Chief Justice
"	John McLean,	
"	James M. Wayne,	
"	John Catron,	Associate
"	P. V. Daniel	Justices
"	Samuel Nelson	
"	Robert C. Grier	
"	John A. Campbell	
"	Nathan Clifford	

William Selden Esquire, Marshal
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Gen. Robert J. Walker. It is ordered that Frederic Hall Esquire of California be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

George Kindall, Jason W. Jr. } Error to the
Han and George L Jewett. } Circuit Court
66 vs } Affirmed. } of the United States
Joseph L Lewis } for the District of
Rhode Island.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Rhode Island and was argued by counsel

On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs and interest on the said at the same rate per annum that similar judgments bear in the Courts of the State of Rhode Island

Dickerson B. Merchants } Error to the Supreme
63 vs } Affirmed. } Court of the State
} of Illinois
William A. Phelps

This cause came on to be heard on the transcript of the record from the Supreme

Court of the State of Illinois and was argued by counsel, - On consideration whereof it is now here ordered and adjudged by this court that the judgment of the said Supreme Court in this cause be and the same is hereby reversed with costs and that this cause be and the same is hereby remanded to the said Supreme Court for further proceedings to be had therein in conformity to the opinion of this Court.

Per Mr Jus. Catron.

57. John H. Buttan Appt
vs.
William A Bainely Claimant of the Ship "Albion" &c tackle &c.

Appeal from the Circuit Court of the United States for the District of California.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of California and was argued by counsel. On consideration whereof it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is

hereby issued with costs and that this cause be and the same is hereby remanded to the said circuit court with instructions to that court to enter a decree in favor of the W. Easton the libellant and against the Wm. A Barnaby claimant of the ship Albert and his sureties in the stipulation filed in the case for the sum of $1367 00 with interest from the 2d day of March A.D. 1835 until paid and also for all the costs incurred by the said John W. Easton in the prosecution of the said libel

Per Mr Justice Wayne.

Dissenting
Mr Justice Baldwin

John W. Easton
vs.
Howard Salisbury

Error to the Supreme Court of the State of Missouri.

65

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Missouri and was argued by counsel. On consideration whereof it is now here ordered and ad-

judged by this court that the judgment of the said Supreme Court in this cause be and the same is hereby affirmed with costs.

Per Mr. Justice McLean.

Stephen V. R. Cheesman vs. Shuman M. Booth	In error to the Supreme Court of the State of Wisconsin.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Wisconsin and argument by counsel - On consideration whereof it is now here ordered and adjudged by this court that the judgment of the said Supreme Court in this cause be and the same is hereby reversed with costs, and that this cause be and the same is hereby remanded to the said Supreme Court for further proceedings to be had therein in conformity to the opinion of this Court.

Per Mr. Ch. Justice Taney.

53. The United States vs. Stilfman M. Booth. } Error to the Supreme Court of the State of Wisconsin

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Wisconsin and was argued by counsel On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be and the same is hereby reversed and that this cause be and the same is hereby remanded to the said Supreme Court for further proceedings to be had therein in conformity to the opinion of this Court

Per Mr. Ch. Jus. Taney

Mary N. Rogers adm[x] of Eliza Ann Custis Edmund Law Rogers in his own right and as adm[x] of Eliza Law Rogers and Edmund A. Rogers. Appellants

vs.

Joseph Edmund Law by Mary Johnson his next friend

Appeal from the Circuit Court of the United States for the District of Columbia

211.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Columbia and on the motion of Mr Bates to dismiss the case because there was no appeal case was argued by counsel On consideration whereof it is now here ordered adjudged and decreed by this Court that this cause be and the same is hereby dismissed with costs

By the Court W. Thomas

Eliza N. Rogers, adm: of Eliza
Ann Custis Samuel Ann Rogers } Appeal from
et his wife Eliza Ann Rogers and Edward } the Circuit
A. Rogers Appellants } Court of the
vs. } United States
27. Joseph Edmund Rogers by his guardian } for the District
Robinson his next friend } of Columbia

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Columbia and on the motion of the appellee to dismiss the cause because there was no appeal and was argued by counsel On consideration whereof it is now here ordered, adjudged and decreed by this court that this cause be and the same is hereby dismissed with costs

By the Court Jas. D. Dean

The Utah Valley Canal Company vs. Apfts Henry Tullitte & al.

On consideration of the motion of Mr. H. B. McLean of counsel for the for the Apfts and for an order of this Court directing the trustee to pay the counsel out of the trust fund and of the brief of Mr Ewing of counsel for the Apfts in opposition thereto submitted to the Court on a prior day of the present term, to wit, on Friday the 25th instant it is now here ordered by the Court that the said motion be and the same is hereby overruled.

The United States. vs Apfts. Charles Fossat.

The argument of the motion of Mr Bayard to dismiss the cause on the ground that the case of the District Court is not a final one was commenced by Mr Bayard in support thereof and continued by the Attorney General Black and Mr Reverdy Johnson in opposition thereto.

Lloyd Magruder &c
Eliza J Lusby et al
vs Appls
Joseph C Lusby by Wm
Robinson his next friend

In Case of Wm Robinson for the appellants move the Court for time to authorize the same in the event from the rule of this Court. On consideration whereof it is now here ordered by the Court that the time prayed for be and the same is hereby granted upon the appellants bonding a receipt therefor and which the Clerk is hereby directed to place upon the file of the Court in lieu of the record

Proclamation being made the Court is adjourned until to-morrow morning at eleven o'clock

Tuesday March 8th 1859.

Pursuant to adjournment the Court met this morning at the Capitol

Present.

The Honorable	Roger B. Taney	Chief Justice
"	John McLean.	
"	James M. Wayne,	
"	John Catron	Associate
"	Samuel Nelson	Justices.
"	Robert C. Grier.	
"	John A Campbell	
"	Nathan Clifford.	

William Selden, Esquire, Marshal,
William Thomas Carroll Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Reverdy Johnson it is ordered that Thomas H. Dodge Esquire of the District of Columbia be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

342	The United States vs. Appt. Charles Fossat	The argument of Mr. Bayard was resumed and concluded by the Attorney of counsel for the appellee.

81.	Elisha Morris. vs. Jeffreys. John Comegal.	This cause having been called for argument and no counsel appearing ready to proceed with the same it is now here ordered by the Court that this cause be and the same is hereby postponed to the docket under the 36th rule

82	Silas F. Wells. Jeffreys. vs. The Vermont & Massachusetts Railroad Company.	The argument of this cause was commenced by Mr. Peck of counsel for the plaintiff in error continued by Mr. Hall of counsel for the defendants in error and concluded by Mr. Peck of counsel for the plaintiff in error.

Tuesday, March 8th 1859 Continued.

John C. Finnott, &al,

53 vs. Plffs in er
Gorham Davenport, &as, &c.

and

Thomas C. Foster, &al owners
of Steamboat Swann,

137 vs. Plffs in er
Gorham Davenport &as
Comm'rs &c.

The cases were argued by Mr. Phillips of counsel for the plaintiffs in error.

Proclamation being made the Court is adjourned until Friday next at one o'clock, P. M.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable	Roger B Taney,	Chief Justice
" "	John McLean,	
" "	James M. Wayne,	
" "	John Catron,	
" "	Peter V. Daniel,	Associate
" "	Samuel Nelson,	Judges.
" "	Robert C. Grier,	
" "	John A Campbell,	
" "	Nathan Clifford	

William Sloan Esquire Marshal.
William Thomas Carroll Clerk.

Proclamation being made the Court is opened

On motion first made to the Court on this behalf by Mr Reverdy Johnson, it is ordered that Robert L Stevens, Esquire of Lecompton, Kansas Territory, be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

Friday March 11th 1859. Continued.

On motion first made to the Court in this behalf by Mr. R. H. Gillet, it is ordered that Samuel T. Williams, Esquire of the District of Columbia be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

This Chamberlain & John H. Crawford, Claimants of the Portellen Aguamburgh, Appts		Appeal from the Circuit Court of the United States for the South. ern District of Ohio
64	vs.	
Eber B Ward, & Stephen Chamberlain survivors of Samuel Ward dec'd.		

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Ohio and was argued by counsel. On consideration whereof it is now here ordered, adjudged and decreed by this court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed. And it is further ordered, adjudged and decreed by this court that each party pay their own costs in this

Court.

Per Mr Js. Clifford
Dissenting Mr Js. Grier & Mr Js. Daniel

Eliz. B. Ward & Stephen Clement
executors of Samuel Ward dec'd. Appeal from
vs. Appts the Circuit Court
80. Philo Chamberlain & John H. of the United
Crawford claimants of the States for the
Propeller Cataract. Southern Dist.
Dist of Ohio

This cause came to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Ohio and was argued by counsel

On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be & the same is hereby affirmed. And it is further ordered adjudged and decreed by this Court that each party pay their own costs in this Court

Per Mr Js. Clifford
Dissenting, Mr Js. Grier & Mr Js. Daniel.

Samuel Race. Appellee		Appeal from the Circuit Court of the United States for the District of Indiana
73	vs.	
The Madison and Indianapolis Railroad Company and the Peru and Indianapolis Railroad Company		

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Indiana and was argued by counsel - On consideration whereof it is now here ordered & decreed by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

Per Mr. Jus. Campbell

The United States - Appellts.		Appeal from the District Court of the United States for the Northern District of California
202	vs.	
Charles Fossat		

This cause came on to be heard on the transcript of the record from District Court of the United States for the Northern District of Califor-

ma. and it appearing to this court that this appeal was improvidently taken and allowed it is therefore on the motion of Mr Bayard of counsel for the appellee ordered and decreed by this court that the appeal be and the same is hereby dismissed and that this cause be and the same is hereby remanded to the said District Court for further proceedings to be had therein in conformity to the opinion of this court

Per Mr Justice Campbell

Russell Sturgis Libt. & Appt
vs
69 Seth Brough Robert L Braby
and Henry M Rud Claimts
of the Steamboat R. L Braby
her tackle &c

Appeal from the Circuit Court of the United States for the Southern District of New York

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York and was argued by counsel

On consideration whereof it is now here ordered, adjudged and decreed by this court

Friday. March 11th 1859. Continued.

that the decree of the said Circuit Court in this cause be and the same is hereby reversed with costs, and that this cause be and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity to the opinion of this Court.

Per Mr. Justice Grier

John M. Parker. Appt.
vs.
Graham B. Hewett. } Appeal from the Circuit Court of the United States for the District of Columbia.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Columbia and was argued by counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

Per Mr. Justice Grier

The Board of Commissioners of the County of Knox. vs Plffs in Err. William H. Aspinwall Supt H. Dept. Henry Chauncey Charles Conrad & Samuel Swartwout. } Error to the District Court of the United States for the District of Indiana.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Indiana and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Indiana.

Per Mr. Justice Nelson

Dissenting - Mr. Justice Daniel

71	The Board of Commissioners of the County of Knox is Plaintiff in Error David L. Wallace.	In error to the Circuit Court of the United States for the District of Indiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Indiana, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs and interest until paid at the same rate as in cases that similar judgments bear in the courts of the State of Indiana.

Mr Justice Nelson dissenting. Mr Justice Daniel.

52	Indiana ex rel. Wick - Plaintiff vs. The Vermont & Massachusetts Railroad Company.	In error to the Circuit Court of the United States for the District of Massachusetts.

This cause came on to be heard on the

transcript of the record from the Circuit Court of the United States for the District of Massachusetts, and was argued by counsel on consideration whereof it is now here ordered and adjudged by this court that the judgment of the said Circuit Court in this cause be and the same hereby is reversed and that this cause be and the same is hereby remanded to the said Circuit Court with directions to award a venire facias de novo

Per Mr. Justice Nelson

67 William Lee Appellant vs. Peter H. Morse

This Appeal from the Circuit Court of the United States for the District of

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Indiana and was argued by counsel on consideration whereof it is now here ordered and adjudged by this court that the judgment of the said Circuit Court in this cause be and the same is hereby reversed

with costs, and that this cause be and the same is hereby remanded to the said Circuit Court with directions to award a venire de novo.

Mr Justice Daniel.

William P. Sea Appt.
vs.
The Bell County Coffin Company et al.

Appeal from the Circuit Court of the United States for the Eastern District of Tennessee.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Tennessee and was argued by counsel.

On consideration whereof it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

Mr Justice Catron
Mr Justice Daniel, dissenting.

Hiram Booth &c &c
vs.
Mahlon D Burke & Ors
&c &c

Appeal from the District Court of the United States for the District of Wisconsin.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Wisconsin and was argued by counsel

On consideration whereof it is now here ordered adjudged and decreed by this court that the decree of the said District Court in this cause be and the same is hereby affirmed with costs and interest until paid at the same rate as is now by the laws of the State of Wisconsin

Pr Mr Jus Wayne

Present Mr Jus Campbell
Mr Jus Daniel & Mr Ch Jus Taney.

76.	Richard A Stuart. vs Affirmed. The Atlantic Bank in the City of Brooklyn	Error to the Circuit Court of the United States for the East District of Louisiana.

This cause came on to be heard on the transcript of record from the Circuit Court of the United States for the Eastern District of Louisiana and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs and damages at the rate of ten per cent per annum.

Per Mr Justice Wayne.

75.	Hiram Chamberlain vs. Affirmed. Solomon Meredith, Pleasant Johnson, and Thomas Tyner.	Error to the Circuit Court of the United States for the District of Indiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Indi-

and it was argued by counsel On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby reversed with costs and that this cause be and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity to the opinion of this Court and as to law and justice shall appertain

Pr. Mr. Justice McLean -

The Boston Telegraph Compy
vs
The Magnetic Telegraph Compy and Amasa J. Abell and Lewis Bauman.

77

Appeal from the Circuit Court of the United States for the District of Maryland.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Maryland and was argued by counsel-

On consideration whereof it is now here ordered, adjudged and decreed by this

court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

Per Mr. Justice McLean

The Union Telegraph Company vs. Appts / George C. Foreman and Asa King. — Appeal from the Circuit Court of the United States for the District of Maryland.

78

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Maryland and was argued by counsel. On consideration whereof, it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

Per Mr. Justice McLean

James B. Converse, Admr
of Elijah Dunlap &c. et al
vs
The United States.

In error to the
Circuit Court
of the United States
for the District of
Massachusetts

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts and was argued by counsel - On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby reversed, and that this cause be and the same is hereby remanded to the said Circuit Court with directions to award a venire facias de novo.

Pr. Mr. Ch. Jus. Taney.

Dissenting - Mr. Jus. Campbell.
Mr. Jus. Grier & Mr. Jus. Catron.

Isher C. Sumet Samuel Wolfe
Thomas Sawer Defts in Er.

83. vs.

Graham Davenport Thos C
Bacon Geo Schaffer Joshua
I Sizer and A. H. Deering Com
missioners of Pilotage of the Bay
and Harbor of Mobile.

-and-

Thomas C. Foster Roger A Shine
and Geo A Blakeslee owners
of the Steamboat Swan - Appellees

137. vs.

Graham Davenport et al
Commissioners &c

The defendants in error having appeared to the writs of error in this cause and have having been argued together by counsel on behalf of the plaintiffs And it appearing that the matter in dispute in said writs of error exceeds the sum or value of Two thousand dollars exclusive of costs and the record in said causes having been inspected and argued by counsel and due consideration thereof had it is considered by the Court that there is no error in the judgments in said causes and that the same be and they are hereby affirmed with costs and damages at the rate of six per centum per annum on the amount of the judgments in said causes respectively from the time the writs of error were sued out to the time of affirmance and that the plaintiffs in error pay to the defendants in error the costs of these causes in this Court expended and have execution therefor.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Alabama and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be and the same is hereby affirmed with costs.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Alabama and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be and the same is hereby affirmed with costs.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Alabama and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be and the same is hereby affirmed with costs.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Alabama and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be and the same is hereby affirmed with costs.

from misunderstanding or oversight. And in order to afford them a further opportunity of being heard. It is ordered that the cases be continued until the next term to be then argued together, when the one first mentioned is reached in the regular call of the docket. And it is further ordered that a copy of this order be transmitted by the Clerk of this court to the Attorney General of Louisiana

Pro Mr. Ch. Jus. Taney.

The United States
vs
James McMasters.

In error to the Circuit Court of the United States for the Eastern District of Louisiana

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Whereas it was ordered by this court at December Term 1831, that whenever any record transmitted to this court upon writ of error or appeal shall contain any document, paper, testimony or other proceeding in a foreign language and the record do not also contain a translation of such document, paper, testimony or other proceeding

Friday, March 11th 1850 Continued

made under the authority of the inferior court or admitted to be correct the record shall not be remitted, but the same shall be reported to this court by the Clerk and the Court will thereupon remand it to the inferior Court in order that a translation may be thereupon supplied and inserted in the record."

And whereas pursuant thereto the Clerk has reported to the court at this session of the court that the record returned to this court upon this writ of error contains a document or paper in a foreign language and that it does not contain any translation of said document or paper - It is thereupon now here ordered by this court that this record be and the same is hereby remanded to the Circuit Court of the United States for the Eastern District of Louisiana in order that a translation of said document or paper may be thereupon supplied and inserted in the record.

Present Chs. Jas. Taney

11 Charles Ballance vs. Plffinan: Joseph T. Bafman fat

Mr Ballance for Mr Gillet moved the Court for leave to withdraw the transcript of the record of this cause from the files of the Court for consideration whereof it is now here ordered by the Court that the plaintiff in error have leave to withdraw the transcript of the record of this cause from the files of this Court upon his leaving with the Clerk a certified Copy and which the Clerk is hereby directed to file in the place of said transcript.

12. Charles Ballance vs. Plffinan: Samuel Hart fat

Mr Ballance for Mr Gillet moved the Court for leave to withdraw the transcript of the record of this cause from the files of the Court. On consideration whereof it is now here ordered by this Court that the plaintiff in error have leave to withdraw the transcript of the record of this cause from the files of this Court upon his leaving with the Clerk a certified Copy and which the Clerk is hereby directed to file in the place of said

13 John Reynolds et al vs Plaintiffs Robert Forsyth.

Mr. Ballance for the Plaintiffs moved the Court for leave to withdraw the Transcript of the record of this case from the files of the Court. On consideration whereof it is now here ordered by the Court that the plaintiffs in error have leave to withdraw the Transcript of the record of this case from the files of this Court upon their leaving with the Clerk a receipt therefor and which the Clerk is hereby directed to file in the place of said Transcript.

14 William Kellogg vs Plaintiffs Robert Forsyth

Mr. Ballance for the Plaintiffs moved the Court for leave to withdraw the Transcript of the record of this case from the files of the Court. On consideration whereof it is now here ordered by this Court that the plaintiffs in error have leave to withdraw the transcript of the record of this case from the files of this Court upon their leaving with the Clerk a receipt therefor and which the Clerk is hereby directed to file in the place of said transcript.

Nicholas Gage
vs Affidavit
Edward F Tyson

13

In Chambers for Mr. Gillet who moved the Court for leave to withdraw the transcript of the record of this cause from the files of the Court- On consideration whereof it is now hereby ordered by the Court that the plaintiff in error have leave to withdraw the transcript of the record of this cause from the files of this Court upon his bringing the Clerk a copy thereof to be certified by the Clerk to file in the place of said transcript

William C Frazer
vs Affidavit
Henry Van Rensselaer

28

In Chambers for Mr. Gillet moved the Court for leave to withdraw the transcript of the record of this cause from the files of the Court On consideration whereof it is now hereby ordered by the Court that the plaintiff in error have leave to withdraw the transcript of the record of this cause from the files of this Court upon his bringing the Clerk a copy thereof to be certified by the Clerk already directed to file in the place of said transcript-

48 Samuel C. Conner vs. Josiah Robert Forsyth.

Mr Baker moves for an Order that the Sheriff of the County of this City from the Issue of the Court of Common Pleas of this date be ordered by the Court that the plaintiff in this cause have leave to withdraw the Juror sworn of the panel of this City from the Issue of this Court upon his Bail Bond which will be filed a receipt therefor and which the Clerk is hereby directed to file in the place of said Juror.

49 Richard Gage vs. Josiah Robert Forsyth.

Mr Baker moves for an Order that the Sheriff of this County have leave to withdraw the Juror sworn of the panel of this City from the Issue of this Court. On consideration whereof it is now here ordered by the Court that the plaintiff in this cause have leave to withdraw the Juror sworn of the panel of this City from the Issue of this Court upon his Bail Bond with the Clerk a receipt therefor and which the Clerk is hereby directed to file in the place of said Juror.

100. John Bragg &c vs Affirm Robert Forsyth

In Chancery for the Eastern District of Tennessee

Now at this day came the parties aforesaid by their solicitors and this cause coming on to be heard upon the transcript of the record from the Circuit Court of the United States for the District aforesaid and was argued by counsel. On consideration whereof it is ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

101. Richard Bragg vs Affirm Robert Forsyth

In Chancery for the Eastern District of Tennessee

Now at this day came the parties aforesaid by their solicitors and this cause coming on to be heard upon the transcript of the record from the Circuit Court of the United States for the District aforesaid and was argued by counsel. On consideration whereof it is ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

Proclamation being made the Court is adjourned until the time and place appointed by Law.

11313

At the Capitol of the United States in the City of Washington and District of Columbia being the present seat of the National Government of the United States on the first Monday of December (being the fifth day of the same month) in the year of our Lord one thousand eight hundred and fifty nine and of the Independence of the United States the Eighty fourth the Supreme Court of the United States met agreeably to law

Present

The Honorable Roger B Taney Chief Justice
" " Samuel Nelson
" " Robert C. Grier, Associate
" " John A. Campbell, Justices
" " Nathan Clifford
William Silsbee Esquire Marshal
William Thomas Lawrence Clerk

Proclamation being made the Court proceeded

On motion first made to the Court in this behalf by Mr. R. S. Coxe, it is ordered that Stephen D. Hansom Esquire of Iowa City State of New Jersey be admitted to practice as an Attorney and Counsellor and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. Wm H. Crabb, it is ordered that Owen Williams Esquire of Philadelphia State of Pennsylvania be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly

Mr. Chief Justice Taney announced to the Bar that the Court would announce the call of the docket tomorrow week the 26th inst.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock

Tuesday December 6th 1859

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable	Roger B Taney	Chief Justice
"	Peter Daniel	
"	Samuel Nelson	Associate
"	Robert C Grier	Justices
"	John A Campbell	
"	Nathan Clifford	

William Selden Esquire Marshal
William Thomas Carroll Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by the Attorney General Black it is ordered that John H. Reynolds Esquire of Albany State of New York be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly

On motion first made to the Court in this behalf by Hon H. L. Stevens, it is ordered that Edward M. Dewey Esquire of Chicago State of Illinois be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Hon John P. Hale it is ordered that J. Farnsworth Esquire of Alstead State of Illinois and Thomas P. Pitt Esquire of New Bedford State of Massachusetts be admitted to practice as Attorneys and Counsellors of this Court and they were severally sworn accordingly.

On motion first made to the Court in this behalf by Mr. Edwin M. Stanton it is ordered that Robert M. Knight Esquire of Pittsburgh State of Pennsylvania be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

	The Erie and Northeast Railroad Company vs Plaintiffs in Error Joseph Casey	In error to the Supreme Court of the State of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Pennsylvania and it appearing to the Court here that this is the second term at which this cause has been called for argument and that neither party is now prepared to argue the same - it is ordered by the Court that this cause should be dismissed at the costs of the plaintiffs in error pursuant to the 19th rule of this Court - Whereupon it is now here ordered adjudged and decreed by this Court that this cause be and the same is hereby dismissed with costs and that this cause be and the same is hereby remanded to the said Supreme Court in order that the same may be proceeded with according to law and justice

Per Mr. Ch. Jus. Taney -

Henry Laidon. Appt.
vs
The United States.

The argument of this cause was commenced by Mr. Robert J. Bunt of counsel for the appellant continued by Mr. Attorney General Black of counsel for the appellee and concluded by Mr. Bunt for the appellant

3

John L. Hagee. Appt.
vs
John R. Thomson et al

Mr. J. B. Ransom of counsel for the appellant having filed and read in open Court a suggestion of a diminution of the record in this case in the words and figures following, to wit:

"That the Clerk of the said Circuit Court has neglected to certify and send to this Court with the other papers in this cause -

1st The replications filed in the Court below by the appellant to the answers of the defendants to the original and amended bills of complaint.

2d. The final decree entered in the said Circuit Court in this cause. -

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3rd The Citation issued by the Judge who allowed the said appeal and proof of service of the same on said appellants"

By reason of which premises and of aforesaid the said Counsel now here moves the Court to award a writ of Certiorari to be directed to the Judges of the Circuit Court of the United States for the District of New Jersey commanding them that searching the records and proceedings of said Court in this cause they shall certify to this Court under the seal of the said Circuit Court whatever omissions and errors shall be found On consideration whereof it is now here ordered and adjudged by this Court that a writ of certiorari be and the same is hereby awarded to be issued forthwith and to be directed to the Judges of the said Circuit Court, commanding them that searching the records and proceedings aforesaid they forthwith certify to this Court under the seal of the said Circuit Court whatever omissions and errors shall be found in this cause and return the same with the said writ of certiorari forthwith to this Court Per Mr Ch. Jus Taney

11 Reuben Middleton vs Jeffries & Wilson & William McGrew — Mr Hughes of counsel for the plaintiffs in error moved the court for an extension of the time for the argument of this cause until the 2nd Monday of term. Whereupon the Court not being now sufficiently advised of the premises what order to make in the premises took time to consider.

1 & 3 Henry Carter Appt vs. The United States.

21 Jose Maria Fuentes, Appt, vs The United States

41 Joseph C Palmer for Appt. vs The United States

62 The United States, Appts vs Henry Fleshmake for

63 The United States Appts vs Charles Keyser, & al.

64 The United States, Appts vs Charles Wilcox adm[r]

65 The United States, Appts vs William Bennitz.

66 The United States, Appts vs John Rose & al.

67 The United States Appts. vs. Orlando Chanaga

68 The United States Appts vs James Noe

69 The United States Appts vs Andrew Frei

71 The United States Appts vs Rafael Garcia

72 The United States Appts vs Samuel Gatlard &c

73 The United States Appts vs Robert J. Hockley

74 The United States Appts vs Antonio Maria Cus

75 The United States Appts vs Francis Wells &c

76 The United States Appts vs José Antonio Arvise

78 The United States Appts vs The Guadalupe Mining Co

79 The United States Appts vs Antonio Maria Cus

80 The United States Appts vs Francisco Pacheco

83 The United States Appts vs James R Bolton

56 The United States Appts vs. Augustin Olivera.

57 The United States Appts vs. Augustin Olivera et al.

58 The United States Appts vs José Joaquin Ortega et al

59 The United States Appts vs José Joaquin Ortega
residuario of Estates &c.

60 The United States Appts vs Andres Castillero.

63 The United States Appts vs Teodoro Fernandez

65 The United States Appts vs James Brunshey.

66 The United States Appts vs Antonio Armijo et al.

100 The United States Appts vs Wm C. Marshall heirs &c

101 The United States Appts vs Ferdinand Vassault.

102 The United States Appts vs Thomas Pacheco et al.

103 The United States Appts vs Emanuel Pratt,

104 The United States Appts vs Jesus and Manuel Luis

107 Juan José Gonzales Appt vs The United States.

108 The United States Appts vs Cipriano Aurrecoechea.

109 The United States, Appts vs. Antonio Ignacio Pacheco

110 The United States, Appts vs. Ignacio Arrietaveitia

111 The United States Appts vs Elizabeth de Zavala.

112 The United States Appts vs Francisco de Ramirez

115 Agustin de Iturbide's heirs &c, Appts vs The United States

122 The United States Appts vs Hiram Green

123 The United States, Appts vs Juana Gonzalez de Arocha et al heirs.

124 The United States Appts vs Mariano Galisteo

135 The United States, Appts vs José E. Arroyaso's heirs

126 The United States Apsht vs. Ramon Rodriguez et al

142 Jose Reina Pachico et al Apsht vs. The United States

148 Juan M. Lucas et al. Apsht vs The United States

160 The United States, Apsht. vs. Antonio Sumalgo

161 The United States Apsht. vs. Augustin Ramos

162 The United States Apsht vs. Felipe Hernandez et al

163 The United States Apsht vs. Alice Marsh

164 The United States Apsht. vs. Francisco Villagrana

205 The United States Apsht vs Alexander Hernandez

206 The United States Apsht vs Samuel J. Hensley

207 The United States Apsht vs John Bidwell

208 The United States Apsht vs Jose Castro et al

219 The United States Apsht vs Jose Priego et al

Mr. Attorney General Black moves the Court for a rule to be made on the counsel of the claimant in each of these cases to file the warrant of attorney which was exhibited by the Bills of Exceptions for some of said claimants. Whereupon it is now here ordered by the Court that this motion be and the same is hereby set down for argument next Friday the 9th instant.

Proclamation having made the Court is adjourned until tomorrow morning at ten o'clock

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Wednesday December 7th 1859.

Pursuant to adjournment the Court met this morning at the Capitol

Present,

The Honorable	Roger B. Taney	Chief Justice
"	John McLean	
"	John Catron,	
"	Samuel Nelson,	Associate
"	Robert C. Grier,	Justices.
"	John A. Campbell,	
"	Nathan Clifford	

William Felder Esquire Marshal
William Thomas Carroll Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Hon: William P. Fessenden it is ordered that Marcus P. Norton Esquire of Troy, State of New York be admitted to practice as an Attorney & Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Hon. Geo E Pugh it is ordered that L.C. Clay Esquire of Huntsville State of Alabama and Charles J Faulkner Esquire of Martinsburgh State of Virginia be admitted to practice as Attorneys and Counsellors of this Court and they were severally sworn accordingly -

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On motion first made to the Court in this behalf by Hamilton R Gamble Esquire it is ordered that John H Reid Esquire of Perryville State of Missouri be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly

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On motion first made to the Court in this behalf by Wm F Stanton it is ordered that Edwin T Sneed Esquire of Memphis State of Tennessee be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly -

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10	Reuben Middleton. vs Plff in Err. William McGaw.	On consideration of the motion made yesterday by Mr Hughes of counsel for the plaintiff in error for an extension of the time for argument it is now hereupon ordered by this Court that the said motion be and the same is hereby overruled.
2	Carson Gordon Jas. vs Plff in Err. William S. Ross Jas.	This cause was submitted to the consideration of the Court on the record and brief of Geo. Sharp of counsel for the plaintiff in error
11	Reuben Middleton vs Plff in Err. William McGaw.	This cause was argued by Mr Hughes of counsel for the plaintiff in error and submitted on the brief of Mr Burrage of counsel for the defendant in error

5 George Benaus late Master of Steamboat Nate Appt vs James P. Shawcross et al. Respt

This cause was submitted to the consideration of the court on the record and brief of Nicholas Hall & Shawcross of counsel for the appellant

6 Edward M. Chapin vs Jeffries The Boston Belting Company

This cause was submitted to the consideration of the court on the record and brief of Nicholas Hall & Shawcross of counsel for the plaintiff in error

7 Elisha Hewett vs Jeffries John Kent et al

This cause was submitted to the consideration of the court on the record and printed arguments by Mr Williams for the plaintiff in error and Mr Browning for the defendants in error

Wednesday December 9th 1859 Continued.

8	John G Bennet &al vs Gotham Davenport &al Commissioners &c.	This cause was argued by the Plaintiffs of counsel for the plaintiffs in error and submitted on a printed argument by Mr Clay of counsel for the defendants in error
56	Thomas O Foster &al vs Gotham Davenport &al Commissioners &c	This cause was argued by the Plaintiffs of counsel for the plaintiffs in error and submitted on a printed argument by Mr Clay of counsel for the defendants in error.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Thursday, December 8th 1859.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honble	Roger B Taney,	Chief Justice
"	John M Lean	
"	John Catron	
"	Samuel Nelson,	Associate
"	Robert C Grier,	Justices
"	John A Campbell	
"	Nathan Clifford	

William Selden, Esquire Marshal
William Thomas Carroll Clerk

Proclamation being made the Court adjourned

On motion first made to the Court in this behalf by Mr Geary Whereas it is ordered that Charles E Phelps Esquire of Baltimore State of Maryland be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly

Wm. A. Bathold pet
vs
Jeffries et.
James McDonald pet

311

Mr. Gamble of counsel for the defendants in error having filed and read in open court a suggestion of a diminution of the record in this case in the words and figures following to wit:

"That the Clerk of the said Supreme Court has neglected to certify and send to this court upon the transcript certified a copy of the addendum to the deed of Samuel Hancock to Charles Gratiot which addendum was executed March 30th 1817."

By reason of which omission and error aforesaid the said counsel now here moved the court to award a writ of certiorari to be directed to the Judges of the Supreme Court of the State of Missouri commanding them that searching the records and proceedings of said Court in this cause, they shall certify to this Court under the seal of the said Supreme Court what the omission and error shall be found.

On consideration whereof it is now here ordered and adjudged by this Court that a writ of certiorari be and the same is hereby award-

ed to be issued forthwith and to be directed to the Judges of the said Supreme Court commanding them that forthwith the records and proceedings aforesaid they forthwith certify to this Court under the seal of the said Supreme Court whatever records shall be found in the cause and cause the same with the said writ of certiorari forthwith to this Court

By the Court Ch. Jus. Taney

Hasard Keyser } M.M. Martin Esqr
vs } in behalf of the Petitioner
James H Simpson } of record for the defendant in error having appeared to the Court that Mr Bradley was unable to attend Court to day by reason of his engagements in the Circuit Court of the United States for this District and has moved the Court for leave to file a printed argument in behalf of his client in this case on or before next Tuesday for consideration whereof it is now here ordered by the Court that the leave prayed for be and the same is hereby granted, and it is also now here ordered by the Court that the record

for the plaintiffs in error have leave to reply to the same

9	Alexander Kenzie pl'ff in error vs Deft's in error James H. Simpson	This cause was argued by Mr Stevens of counsel for the plaintiffs in error and submitted on a printed brief by Mr Brady of counsel for the defendant in error

10	William B. Lawton Alph Henry D. Clafflin pl'ff	The argument of this cause was commenced by Mr Stevens of counsel for the appellant continued by Mr Gillet of counsel for the appellee and concluded by Mr Stevens of counsel for the appellant

11	David Maxwell pl'ff vs Deft's in error Isaac N. Moore pl'ff	This cause was submitted to the consideration of the Court on the record and printed arguments by Mr Fowler of counsel for the plaintiffs in error and Mr Holland of counsel for the defendants in error

12 William Brewster
vs Appt
William Wakefield.

This cause was argued by Mr Stevens of counsel for the appellant and submitted on a printed argument by Mr Bradley of counsel for the appellee.

Proclamation being made the Court adjourned until tomorrow morning at eleven o'clock.

Friday December 9th 1859

Pursuant to adjournment the Court met this morning at the Capitol

Present.

The Honorable	Roger B Taney,	Chief Justice
"	John McLean	
"	John Catron,	
"	Samuel Nelson,	Associate
"	Robert C. Grier,	Justices.
"	John A. Campbell,	
"	Nathan Clifford.	

William Tilden, Esquire, Marshal
William Thomas Carroll, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr P Phillips it is ordered that Charles F. McDonald Esquire of Macon and Obadiah C. Gibson Esquire of Griffin, both of Georgia, be admitted to practice as Attorneys and Counsellors of this Court and they were severally sworn accordingly.

On motion first made to the Court in this behalf by Mr Attorney General Black it is ordered Samuel Tyler Esquire of Frederick City State of Maryland be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

F. H. Hodge &c. } Mr Hughes of Counsel for John A. Williams moved the Court for time to amend the record as prayed for in his motion filed in this cause yesterday or to dismiss this writ of error. Whereupon this Court not being now sufficiently advised of and concerning what order to make in the premises took time to consider.

1077 vs Plff in Error

John A. Williams

Myra Clark Gaines } Mr Magruder of Counsel for the appellant having suggested the insolvency of the appellee who appeared in proper person, moved the Court to allow him twenty days within which

221 vs Appl

Duncan N. Kenner

to file his printed argument instead of the one required by the 20th rule of court and by the stipulation of the parties filed in this cause on the 5th of August last. Whereupon this court not being now sufficiently advised of and concerning what order to make in the premises took time to consider.

159. Edward Killarney et al vs. Appellees. The State Saving Institution of Saint Louis

Mr Blair of counsel for the defendant in Error moved this court to dismiss this cause because the record of the case contains no Bill of Exceptions. Whereupon this court not being now sufficiently advised of and concerning what order to make in the premises took time to consider.

14 The B. Ward Summerville of Steamboat Belvert vs. Appellant. Charles Thompson

Mr Hawes (for Jno. Carlisle Esquire) of counsel for the appellee in error here moves this court for leave to enter

the appearance of George F Dixon and John L Griffiths the Executors of Charles Thompson deceased whose death was suggested on the record at the last term of this court, and in their names to resist this appeal - On consideration whereof it is now hereby ordered by this Court that the appearance of the said George F Dixon and John L Griffiths the Executors of Charles Thompson deceased, be and the same is hereby entered as the appellees in this case.

Joel Parker, vs Jeffries Alonzo L Kane,

53.

Mr. Mackey of counsel for the plaintiff in error moved the Court for leave to amend the record in this cause pursuant to the terms of the stipulation filed by the respective counsel in the case this day. - On consideration whereof it is now here ordered by the Court that the record in this cause be amended by the insertion in the declaration of an averment that the defendant is a citizen of the State of Wisconsin pursuant to the terms of the said stipulation

The United States
vs Appts.
No 1240 of 1858. Nathaniel G. Pope

Mr Cushman on behalf of the claimant suggested to the Court that an important discovery relative to the testimony in this case had been made since it was decided by the Court, and inasmuch as no mandate had been issued in the case, moved the Court for an order directing the Clerk not to issue any writ of procedendo in the case for the present. which was opposed by Mr Attorney General Black of counsel for the United States. Whereupon the Court, not being now sufficiently advised of and concerning what order to make in the premises took time to consider

The United States.
vs Appts.
No 1243 of 1858. Nathaniel Dassit

Mr Cushman on behalf of the claimant suggested to the Court that an important discovery relative to the testimony in this case had been made since it was decided by the Court, and inasmuch as no mandate had been issued in the case, moved the Court for an order directing the Clerk not to issue any writ of

proceeds in the case for the present - which was opposed by Mr Attorney General Black of counsel for the United States. Whereupon this Court not being now sufficiently advised of and concerning what order to make in the premises took time to consider

3. Henry Dalton Appt vs The United States

21 José Maria Sunter Appt vs The United States

41 Joseph C. Palmer et al Appts vs The United States

62 The United States Appts vs Henry Fuchsmacher

63 The United States Appts vs Charles Lupton et al

64 The United States Appts vs Charles Wetter et al

65 The United States appts vs William Bennett

66 The United States Appts vs John Rose et al

67 The United States Appts vs Hawes Edwards et al

Friday, December 9th 1859. Continued.-

68 The United States, Apfts, vs. James Noe.

69 The United States, Apfts vs. Andres Noe.

71 The United States, Apfts, vs. Rafael Garcia

72 The United States, Apfts. vs. James R. Galbraith et al

73 The United States, Apfts. vs. Robert F Stockton.

74 The United States, Apfts vs. Antonio Maria Osio.

75 The United States Apfts, vs. Marcus Wells heirs

76 The United States, Apfts, vs. Jose Antonio Aliso.

78 The United States, Apfts vs The Guadalupe Mining Co.

79 The United States, Apfts. vs Antonio Maria Osio,

80 The United States, Apfts vs Francisco Rico et al.

83 The United States Apfts, vs. James R Bolton.

86 The United States, Apfts. vs. Augustin Olvera et al.

87 The United States Apptee vs. Augustin Olivera et al.

88 The United States Apptee vs. José Joaquim Ortiz et al.

89 The United States Apptee vs. José Joaquim Ortiz
as admr of E. Stokes, dec'd.

90 The United States Apptee vs. Andres Castillero

93 The United States Apptee vs. Juan Prieto de Pacheco

98 The United States Apptee vs. James Murphy

99 The United States Apptee vs. Antonio Armijo et al.

100 The United States Apptee vs. Wm. E. Hartnell et al.

101 The United States Apptee vs. Ferdinando Vassault

102 The United States Apptee vs. Thomas Parker et al.

103 The United States Apptee vs. Emanuel Pratt.

104 The United States Apptee vs. Ramon de Haro et al.

Friday, December 9th 1859 Continued.

107 Juan José Gonzales, Appt, vs The United States

108 The United States Appts vs Lupeiano Chunzal

109 The United States, Appts vs Antonio Maria Pacheco

110 The United States, Appts, vs Maria Manuela Labrea

111 The United States, Appts vs Elizabeth de Zaldo

112 The United States Appts, vs Heirs de Haro's heirs

113 Augustin de Utrardo's heirs, Appts vs The United States

122 The United States, Appts, vs Juan Gomez.

123 The United States, Appts, vs Juan Sanchez de Pacheco's heirs

124 The United States, Appts, vs Mariano Vallejo.

125 The United States, Appts vs José E. Berreyesa's heirs.

126 The United States, Appts vs Ramon Rodriguez

142 Jesus Ortega Pacheco's heirs, Appts vs The United States

108 Juan M. Luco for Apltt vs. The United States

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160 The United States Apltt vs. Antonio Suarez

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162 The United States Apltt vs. Felipe Arangoitia

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161 The United States Apltt vs. Augustin Arrieta

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163 The United States Apltt vs. Alice Marsh

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164 The United States Apltt vs. Federick Billings et al.

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203 The United States Apltt vs. Apolinar Maldonado

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204 The United States Apltt vs. Samuel J. Hensley

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205 The United States Apltt vs. John Budd

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206 The United States Apltt vs. José Castro

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219 The United States Apltt vs. José Noriega et al

The motion of the Attorney General to move for a rule on the claimants in each of these cases to file his answer of

Friday December 6th 1839. Continued

attorney was assisted by Messrs Elliot Carlton Blair and Castle in behalf of the claimants and was answered by the Attorney General Black. Whereupon this Court not being now sufficiently advised of and concerning what order to render in the premises took time to consider.

Charles Stewart Surveyor		The argument of
13 vs	plff in er.	this cause was com-
Francis Freeman Surveyor		menced by Mr Phelps
		of counsel for the Plaintiff

in error

Proclamation being made the Court is adjourned until Monday morning at eleven o'clock.

The court to adjourn until 11 oclock
this morning at the Capitol

Present

His Honorable	Roger B. Taney	Chief Justice
"	John McLean,	
"	James M. Wayne,	
"	John Catron	Associate
"	Samuel Nelson,	Justices
"	Robert C. Grier,	
"	John A. Campbell,	
"	Nathan Clifford.	

William Tolden, Esquire, Marshal.
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by McDowell it is ordered that Esquire Estabrook Esquire of Omaha City in the State of Nebraska, be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

Myra Clark Gaines 321 vs) Appl. Eunan A Hunter.	On consideration of the application made by the Appellee in this case last Friday the 9th instant for an extension of the time to twenty days within which to file printed arguments one of the stipulation of the parties to the same effect, filed on the same date. It is now here ordered by the court that the said application be and the same is hereby granted and it is further ordered by the court that unless the arguments on both sides be filed within the ten days as required by the 30th rule that it cannot be submitted under said rule.
Edward Killoumeyer 130 vs) Appellee The State Savings Institution of St Louis.	On consideration of the motion made by Mr Blair on last Friday the 9th instant to dismiss this cause because there is no Bill of Exceptions in the record, it is the opinion of the court that no advantage can be taken of this omission until the case is regularly reached

in the regular course of the docket when the party can have it examined if there is nothing in it to have it affirmed with ten per cent damages if brought here merely for delay. It is therefore it is now here ordered by the Court that the said motion be and the same is hereby overruled

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No 2 1838 The United States vs Appeals Michael C Nye

On consideration of the motion made by the Attorney in this cause last Friday, and of the objections urged by the Attorney General Black thereto It is now here ordered by the Court that the said motion be and the same is hereby overruled

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113 of 1838 The United States vs Appeals Nathaniel Bassett

On consideration of the motion made by the Attorney in this cause last Friday, and of the objections urged by Mr Attorney General Black thereto It is now here ordered by the Court that the said motion be and the same is hereby overruled

The American Transportation Company Appts vs) John Volk & Horatio N. Turner Sett		Appeal from the Circuit Court of the United States for the Northern District of Illinois

32

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and on the motion of Mr. Coyne of Counsel for the appellants, stating that the matters in controversy in this case had been agreed and settled between the parties. It is thereupon now here ordered adjudged and decreed by this Court that this cause be and the same is hereby dismissed with costs.

Per Mr. Ch. Jus. Taney.

The United States vs.) Robert F. Stockton	Appts	Appeal from the District Court of the United States for the Northern District of California.

73

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of California and on the motion of Mr. Black,

Attorney General of the United States, and of counsel for the appellants-, it is now here considered, adjudged and decreed by this court that this appeal be and the same is hereby dismissed

Per McLean Chief Justice Taney

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111 The United States vs Elizabeth Lizarde

Appeal from the District Court of the United States for the Northern District of California

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of California, and on the motion of Mr Black Attorney General of the United States one of counsel for the appellants, - it is now here considered, adjudged and decreed by this court that this appeal be and the same is hereby dismissed

Per McLean Chief Justice Taney

110 Christian Ott - vs - Appt James G. Soulard

Appeal from the Circuit Court of the United States for the District of Missouri.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Missouri, and on the motion of Mr Blair of counsel for the appellant stating that the matters in controversy in this case had been agreed and settled between the parties - It is therefore now here ordered, adjudged and decreed by this court that this cause be and the same is hereby dismissed with costs

Per Mr Ch Jus Taney -

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103. Henry Easton, Appt. vs. The United States -

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31. José Maria Fuentes, Appt vs The United States -

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41 Joseph C. Palmer Jal Appts vs The United States.

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63 The United States Appts vs Henry J. Teschmaker Jal

1263 The United States, Appts vs. Charles Meyer et al

64 The United States, Appts vs. Charles White, admr

65 The United States, Appts vs. William Bunch et al

66 The United States, Appts vs. John Rose et al.

67 The United States Appts vs. Claude Chaves et al.

68 The United States, Appts vs. James Noe

69 The United States, Appts vs. Andres Pico

71 The United States, Appts vs. Rafael Garcia

72 The United States Appts vs. Jas. D. Graham et al.

73 The United States, Appts vs. Robert F. Stockton

74 The United States Appts vs. Antonio Maria Osio,

75 The United States, Appts vs. Marcus Whitman

76 The United States, Appts vs. Jose Antonio Alviso

Monday, December 12th 1859 Continued

No 78. The United States, Appts vs. Guadalupe Mining Co

79 The United States, Appts vs. Antonio Maria Ortiz

80 The United States, Appts vs. Francisco Rico et al.

83 The United States, Appts vs. James R. Bolton.

86 The United States, Appts vs. Augustin Olvera.

87 The United States, Appts vs. Augustin Olvera et al.

88 The United States, Appts vs. José Joaquin Ortega et al.

89 The United States, Appts vs. José Joaquin Ortega et al
admrs of Edwd Stokes, and

90 The United States, Appts vs. Andres Castillero,

93 The United States, Appts vs. Teodoro Sicumdumichis

95 The United States, Appts vs. James Irwin et al.

99 The United States, Appts vs. Antonio Armijo et al.

100 The United States Appts. vs. Wm C. Hartshorn

101 The United States Appts vs Ferdinand Vasseur

102 The United States Appts vs Thomas Parker et al

103 The United States Appts vs Emanuel Pratt

104 The United States Appts vs Ramirez de Arellano

105 Juan Jose Gonzales, Appt vs The United States

106 The United States Appts vs Stephen Henry

107 The United States Appts vs John M. Harris

108 The United States Appts vs Maria Louisa Lecompte

109 The United States Appts vs Elizabeth A Forstall

110 The United States Appts vs Ramirez de Arellano

111 Augustin Haviland Assl. Appts vs The United States

112 The United States Appts vs Evan Gwinn

Monday, December 12th 1859. Continued.

No 123. The United States, Appts, vs. Juana Sanchez & Pacheco

124. The United States, Appts vs. Mariana G. Cottrell.

125. The United States, Appts vs. José & Vicente Arellanes

126. The United States, Appts vs. Ramon Rodriguez et al

112. José Dolores Pacheco adm. Appt, vs. The United States

118. Juan M. Luco et al. Appts, vs. The United States

160. The United States, Appts, vs. Antonio Suñol et al.

161. The United States, Appts vs. Augustin Narvaez

162. The United States, Appts vs. Felipe Arrellanes et al

163. The United States, Appts, vs. Alice Marsh

164. The United States, Appts vs. Frederick Billings et al.

205. The United States, Appts, vs. Apolinario Mirandes et al.

206. The United States, Appts, vs. Samuel J. Hensley.

208 The United States Appellants vs. John Bidwell.

209 The United States Appellants vs. Jos. Castro et al.

210 The United States Appellants vs. Jos. Sunol et al.

The consideration of the motion made in these cases by Mr Attorney General of Counsel on the behalf of the appellants to file his reasons out of time, and of the arguments of counsel thereupon had as well in support of as against the said motion. It is ordered by the Court that the said motion be and the same is hereby overruled.

13. Charles Fowler Executor &c. vs. Pliff in Er. Francis Forman Surviving Partner &c

The argument of this cause was resumed by Mr Brent of Counsel for the defendant in error and concluded by Mr Bond of Counsel for the plaintiff in error.

10	Chas. B. Ward Jr. vs Appt. Chas. Thompson	This cause was submitted to the consideration of the Court on the record and further argument by Mr. Sterling of counsel for the appellant.
5	The State of Alabama vs Compt The State of Georgia	The argument of this cause was commenced by Mr. Phillips of counsel for the complainant.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Tuesday, December 13th 1859.

Pursuant to adjournment the Court met this morning at the Capitol

Present.

His Honor Hugh L. Lamar Chief Justice
" " Geo. M. Sharp,
" " Henry H. Kayne,
" " John Calvin, Associate
" " Samuel Nelson, Associate
" " Robert S. Gaines,
" " John A. Campbell,
" " Nathan Sheffield
William Sidney Graves, Marshal
William Howard Clerk

Thereupon his Excellency the Governor

On motion first made by the Counsel in this behalf by Peter Hansbrough Clayton it is ordered that A. J. Requier Esquire of Austin Bar of Texas be admitted to practice as an Attorney and Counsellor this Court and he was duly accordingly

Tuesday. December 13th 1859. Continued

114	Chas. B. Ward. Surv'r. &c. vs. Asst. Chas. Thompson	This cause was submitted on behalf of the appellee on a printed argument by Messrs Hand & Sathoff of counsel for the appellee
5.	The State of Delaware vs. Comp'l The State of Georgia.	The argument of this cause was continued by Mr. Knight of counsel for the complainant and by Mr. Gibson & Mr. Canby of counsel for the defendant

Proclamation being made the Court is adjourned until tomorrow morning at ten o'clock.

Pursuant to adjournment the Court met this morning at the Capitol

Present.

The Honorable Roger B. Taney Chief Justice

John McLean,
James M. Wayne,
John Catron,
Samuel Nelson,
Robert C. Grier,
John A. Campbell,
Nathan Clifford

Associate Justices.

William Aiken Esquire Marshal
William Howard Clerk

Proclamation being made the Court is opened.

On motion prayed of the Court in this behalf by Mr Attorney General that it is ordered Alexander Wilcox Esqr. of Philadelphia State of Pennsylvania be admitted to practice as an Attorney and Counsellor of this Court and he is sworn accordingly

1864. Wednesday December 14th 1864 Continued.

On motion leave was given to the bar in this behalf by H. H. Chief Justice it is ordered that Geo. W. Baker Esquire of Federal State of New York, be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

H. Cubuque & Peoples Railroad Company vs Plaintiffs. Edmund C. Litchfield.	H. Mason of counsel for the defendants in error having suggested to the Court that there was no file in this case a Stipulation by the Counsel on both sides to submit this case on printed arguments and that the argument of H. P. Smith in behalf of the plaintiffs in error was filed pursuant thereto, but that he had been disappointed by the printer in having his argument printed to day now he moved the Court to extend the time for filing his arguments until tomorrow - On consideration whereof it is now here ordered by the Court that leave be and the same is hereby granted to said Counsel to file his argument in this case at any time during tomorrow

2.50

The Dubuque and Pacific Railroad Company
vs.
Edwin L. Litchfield.

Mr. Hempstead of Missouri moved to the Court that the Government was interested in this case moved the Court for leave to intervene in behalf of the United States and for time after the argument of the case shall be opened to prepare and submit the case on the part of the Government.

On consideration whereof it is now here ordered by the Court that leave be and the same is hereby granted to the Attorney General to intervene in this case in behalf of the United States and that after the argument of the case shall be opened that he have time to prepare and submit a further argument in behalf of the United States

Wednesday December 14th 1836 Continued -

	William H Brisbane &c vs William A Sims and William H Brisbane &c vs William A Sims	Mr Attorney General Black & Key for the defendant in error in each of the cases having suggested to the Court that this last case was in both cases and that they

24

141

presented the same question for the decision of the Court in error & that they be set down for a general hearing. On consideration whereof it is now here ordered by the Court that this be so & they are hereby set down for a general hearing accordingly. No 24 is marked in the Equity docket of the docket.

	Edmund Key &c vs Phineas Isaac S Thompson	Mr Nicols of counsel for the plaintiffs in error having suggested to the Court that further

9

time to be granted by this Court on this instant for that purpose. Mr Bradley had filed his argument in this case yesterday, moved the Court for leave to file his reply on or before next Monday - On consideration whereof,

It was therefore ordered by the Court that the Motion prayed for be and the same is hereby granted.

232 Charles Ballance Pltff vs Joseph L. Tapscott Defdt

Mr Ballance moved the Court for leave to file his further amended Bill in this case tomorrow pursuant to the 20th rule of this Court as he supposed the Court would not count Sunday as a part of the ten days. On consideration whereof, it is the opinion of this Court that Sunday should be and is hereby considered as a part of the ten days limited by the 20th rule of Court, yet reasonable doubts of construction of this rule by the Court may take the party by surprise, it is therefore ordered by the Court that the leave prayed for be and the same is hereby granted.

233 Charles Ballance Pltff vs Samuel Hart Defdt

Mr Ballance moved the Court for leave to file his further amended Bill in this case tomorrow pursuant to the 20th rule of this Court, as he supposed the Court would not count

Wednesday December 11th 1850 Continued.

Sunday as a part of the hearing the consideration whereof it is the opinion of this court that Sunday should be and is counted as a part of the ten days limited by the 30th rule of court for the transmission of the first exhibits of this suit to the court may be had the same is hereby granted by consent it is now hereupon by the court that the same be granted for be and the same is hereby granted.

5. The State of Alabama vs. Compl't The State of Georgia

The argument of this cause was continued by Mr. McDonald of counsel for the complainant and was concluded by Mr. Phillips of counsel for the Complainant.

Proclamation being made the Court is adjourned until tomorrow morning at ten o'clock.

Pursuant to adjournment the Court met this morning at the Capitol

Present.

The Honorable Roger B. Taney Chief Justice
" " John McLean
" " James M. Wayne
" " John Catron } Associate
" " Samuel Nelson } Justices.
" " John Baldwin
" " Nathan Clifford

William Tilden Esquire Marshal
William Thomas Carroll Clerk.

Proclamation being made the Court is opened.

Henry Rieter &c. } This cause was argued
vs } Justices by Mr. Dent and
William H. Lancaster } Watkins of counsel for
the defendants in error
and submitted on a printed argument by Mr.
Kempshall in behalf of the plaintiffs in
error.

Thursday, December 15th 1859 Continued

16	John C Hall pltff in err. vs. William K Campbell	At a quarter of this cause was argued by M. J. B Stanton of counsel for the plaintiff in error

Proclamation being made the Court is adjourned until tomorrow morning at nine o'clock

The Court of Appeals met the Court met this morning at the Capitol

Present.

The Honorable	Reuben H. Walworth	Chancellor
" "	Nelson H. Dean	
" "	James A. Hoyt	
" "	John Cadwell	Assistant
" "	Robert H. Gere	Justices.
" "	Chas. H. Humphrey	
" "	Nathan Gaylord	

Hiram Gardiner Esquire Attorney
William Thomas Counsellor at Law

Proclamation having been made the Court opened.

On motion of Mr. Gardiner on behalf of Mr. Sherman it appearing that Caleb A. Hamilton Esquire of New York City Clerk of New York be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly

John Hagan Jr
22 vs Appt.
John I. Preston & Wife

Mr Saylor of counsel for the appellant having suggested the death of John Hagan Jr the appellant in this cause and having filed letters of administration to Mary Ford Adams widow of said deceased appointing her administratrix of the succession of John Hagan Jr deceased, moved the court that said administratrix be made the appellant in this cause. On consideration whereof it is now hereby ordered by the court that the appearance of Mary Ford Adams administratrix of John Hagan Jr deceased, be entered in this cause and that the said administratrix be and she is hereby made the appellant in this cause with liberty to prosecute this appeal.

Thomas H Nuttall &c
claimts of the Steamboat "Brunet"
273 vs Appts
Alexander Norton -

On motion of Robert H. Marr of counsel for the appellants in the above entitled cause (per Mr Miles Taylor) and on his suggesting to the court that since the appeal herein was taken

Robert Eyas one of the appellees hath a right in this life to the property & slaves mentioned & claimed by the petitioner as the property of the said Mary Eyas and Tempy Eyas & that the said Mary Eyas and Tempy Eyas have accepted the said succession and have effected the same and qualified as Executrixes. It is ordered by the Court that the said Mary Eyas and Tempy Eyas be made parties appellants in the room and stead of said Robert Eyas deceased and that the proceedings in said cause as to the said Robert Eyas cease and be considered in the name of said Mary Eyas and Tempy Eyas.

24 Sidney E. Collins vs Appt. Penny Thompson &al

Mr. Robert Smith appeared for the appellant having filed a copy of Thomas Campbells will and the appearance of Mary C. Campbell widow and devisee George Douglas Campbell James T. Campbell Edward C. Gregory & Robert C. Gregory & Thomas James C. Adams and Mary his wife. John C. Brown

Friday December 16th 1859 Continued -

and Susan I his wife and James A Campbell
heirs and devisees of said James Campbell dec
of Mary E Campbell George Douglas Campbell
and James H Campbell the Executors of the
aforesaid will and also the petition of the afore
said Executors for this Court to appoint the
said James H Campbell the guardian ad litem
of Archibald Campbell and Charles Campbell
heirs and devisees of the said James Campbell
and minors under the age of fourteen years and
for leave to said Guardian ad litem able to
appear moved the Court to appoint the said
James H. Campbell the guardian ad litem as afore
said and to make the said order and the said
and desired and the aforesaid Executors and
the guardian ad litem parties and appointed
in this cause - On consideration whereof it
is now here ordered by the Court that James
H Campbell be and he is hereby appointed
the guardian ad litem of Archibald Campbell
and Charles Campbell two of the heirs and de-
visees of James Campbell deceased and minors
under the age of fourteen years and to appear
for them and defend their interests in this cause
now pending in this Court:- and it is further

named by the said Wm H. Campbell widow and relict of the said Wm H. Campbell James H. Campbell Charles Augustus Wm H. Campbell Samuel H. Campbell Mary Ann Campbell Sarah E. Campbell wife of Douglas Campbell and James Campbell the said Mary E. Campbell Mary Douglas Campbell and James H. Campbell the Executors of the said James Campbell deceased and the said James H. Campbell praying an order of this Court declaring Campbell and Charles Campbell be and they are the proper parties and co-applicants in this cause

16 Ashe & Hall — vs — William H. Campbell et al

The arguments of the cause were heard by Mr Master of counsel for the plaintiff in error by Mr Day and Mr Hall of counsel for the defendants in error and decision of the Master for the plaintiff in error

	Sarah J. Hunter vs Wm. Jeffries William H. Conrad et al.	This cause was submitted to the consideration of the Court by the counsel of said on the transcript of the record and the arguments on Nos 15 & 16.
18	Rosina Bubb for. vs Wm. Jeffries William H. Conrad for.	This cause was submitted to the consideration of the Court by the counsel of said on the transcript of the record and the arguments on Nos 15 & 16.
19	Jacob Sweitzer vs William Jeffries William H. Conrad et al.	This cause was submitted to the consideration of the Court by the counsel of said on the transcript of the record and the arguments on Nos 15 & 16.

Information being made the Court adjourned until Monday morning at eleven o'clock

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable	Roger B. Taney	Chief Justice
" "	John McLean,	
" "	James M. Wayne	
" "	John Catron,	Associate
" "	Samuel Nelson,	Justices.
" "	Robert C. Grier.	
" "	John A. Campbell &	
" "	Nathan Clifford	

William Thomas Carroll Esqr. Marshal
William Tunnicliff Esqr. Clerk

Proclamation being made the Court was opened

Reuben Maddox	In error to the District
vs	Court of the United
Phillips.	States for the Eastern
William McKee	District of Texas

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Eastern District of Texas and was argued by counsel

On consideration whereof it is now here

ordered and adjudged by this court that the judgment of the said District Court in this cause be and the same is hereby affirmed with costs.

Per Mr Justice Campbell

George Beadle late master of the Steamboat Hatchie, appellants - Appts

vs

Edward F Chevers Joseph McClelland and Benjamin Gano Appellees

Appeal from the District Court of the United States for the Eastern District of Texas

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Eastern District of Texas and was argued by counsel -

On consideration whereof it is now here ordered adjudged and decreed by this court that the decree of the said District Court in this cause be and the same is hereby reversed with costs and that this cause be and the same is hereby remanded to the said District Court with directions to that court to dismiss the libel in this case with costs Per Mr Justice Grier

Ransom Gardner Guy Hall and Mary M. Saltmarsh vs. William L. Ross Sheriff of Edwards County.	In error to the Circuit Court of the United States for the District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Illinois and was argued by counsel. On consideration whereof, it is now here ordered by this court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

Mr Justice Nelson delivered the opinion of the court.

Abraham Garrison vs. Appellees Alfred Garrigues alias Louis Alfred Garrigues	Appeal from the Circuit Court of the United States for the District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of

This cause coming on to be heard on the motion of Mr Hunter of counsel for the complainants it is ordered that the motion to dismiss in this cause for want of proper and sufficient bail be & the same is hereby overruled and disagreed by this Court but this cause is continued for the term & the same is hereby dismissed with costs.

Pr. Mr Ch Jus. Taney.

In Error to the District Court of the United States for the Eastern District of Texas.	In the Supreme Court of the United States December Term 1850.
197	Edward Hunter Thomas Coleman and Thomas Coleman Plaintiffs in error vs John A. Williams.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Eastern District of Texas and Mr Hughes of counsel for John A. Williams having suggested that the judgment of the said District Court was in fact against the client and that after said judgment the said Williams filed his assignment of error and applied for a writ of error and that by a clerical mistake the said Williams was made defendant in error.

and the said [illegible] Hugh L. Hunt, Haywood Hunter, Thomas Coleman and Gerard Brown plaintiffs in error do pay the costs of this writ to be levied of the said costs of suit by the said plaintiffs in error that the said writ of error be dismissed for want of jurisdiction. Whereupon it is now here ordered and adjudged by this court that this cause be and the same is hereby dismissed for the want of jurisdiction

Pr Mr Ch Jus Taney

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138 John M. Costing et al vs Charles Figueres

Appeals

Mr Hunt having suggested to the court that this appeal was improvidently entered for the appellants record the cause is therefore dismissed with costs to the appellee - On consideration whereof it is now ordered by the court that the dismissal be and the same is hereby granted

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9 Augustus Hayden et al vs Nathaniel Williams James H. Simpson

Because upon the submission to the consideration of the court by

Mr Brown for the plaintiff in error and by Mr Bradley for the defendant in error.

114	White Hall Township of Franklin County vs Plffs in Error John H. Quick Auditor. and ——— Upper Salem Township of Franklin County vs Plffs in Error John H. Quick, Auditor &c.	This cause was submitted to the consideration of the court on the record and printed arguments by Mr Brown of counsel for the plaintiff in error and by Mr Lowe of counsel for the defendant in error
215	Reuel C. Gridley &c vs Appts David Wyant.	This cause was submitted to the consideration of the court on the record and printed argument by Mr Grant of counsel for the appellants and by Mr Wilson of counsel for the appellee.
216	Reuel C. Gridley &al. vs Appts Edward M. Westbrook &al	This cause was submitted to the consideration of the court by on the record and

further arguments by Mr Grant of counsel for the appellants and by Mr Hilton of counsel for the appellees.

Edwin McMahon
vs Appt
Franklin Swan

This cause was submitted to the court on the record and further arguments by Mr Benjamin of counsel for the appellant and by Mr Clay of counsel for the appellee and on the printed argument of Mr Swan.

Myra Clark Gaines
vs Appt
Duncan N. Rowan

Mr Magruder of counsel for the appellant having stated to the court that the arguments on both sides in this cause were closed the court for leave to submit the same.

Jose Maria Fuentes
vs Appt
The United States

The arguments of this cause were commenced by Mr Wilson of counsel for the appellant & continued by Mr Key and Grant of counsel for the appellee.

Ordered that the court do now adjourn until tomorrow morning at eleven o'clock.

Tuesday December 20th 1836.

Pursuant to adjournment the court met this morning at the Capitol

Present

The Honorable	Roger B. Taney	Chief Justice
"	John McLean,	
"	Henry M. Wayne	
"	John Catron,	Associate
"	Samuel Nelson	Justices
"	Robert C. Grier	
"	John A Campbell	
"	Nathan Clifford	

William Thomas Carroll Esquire Marshal
William Thomas Carroll Clerk

Proclamation being made the court opened.

On motion first was to the court in this behalf by Mr Pike it is ordered that Henry M Rector esquire of the State of Arkansas be admitted to practice as an Attorney and Counsellor of this court and he was sworn accordingly

Mr Chief Justice Taney announced that when the court adjourns next Thursday it will adjourn to the following Tuesday, and that

it will on that day be proper to take such motions as would have been entitled thereto on Friday -

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Jos. Maria Hamlin
21 vs Appt
The United States.

The argument of this cause was resumed by Mr Attorney Genl Black of counsel for the appellee and concluded by Mr Blair of counsel for the appellant

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John Hagan &c
22 vs Appt
John S Preston &c al

On the motion of Mr Taylor of counsel for the appellant and with the assent of Mr Benjamin of counsel for the appellees it is now hereby ordered by the court that this cause be and the same is hereby postponed to next Tuesday the 27th instant

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David Ogden
23 vs Appt
Cotton Gerard &c al

This cause was submitted on the transcript of the record and printed argument by McOwen of counsel for the appellant

Tuesday December 20th 1859 Continued.

Sidney E. Collins
vs
Dewey Thompson Exr.

Appt.

This cause having been called for argument and the counsel for the appellant not being present - It is thereupon on the motion of the Respondents Counsel for the appellee, now here entered by the Court that the said cause be and the same is hereby postponed, and that it be set down for argument for one week morning

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable	Peter V. Daniel	Associate
" "	John McLean	
" "	James M. Wayne	
" "	John Catron	"
" "	Samuel Nelson	"
" "	Robert C. Grier	"
" "	Nathan Clifford	"

William Gaston Esqr. Mass.
Thomas Morris Esqr. Ohio.

Proclamation being made the Court proceeded

Daniel Dunn Appt	The cause was
23 vs	this day submitted to the
Lessee of Forsyth et al.	Court on printed
	argument by Mr. Jas
James Dunn & Buchanan for the Appellee	

	Charles C. Weiner Appt vs The Newark Railroad Transportation Company	On the application of Messrs Keating & Parker of counsel for the plaintiff in error for an extension of time for argument of this cause to eight hours on each side. It is ordered the counsel for the plaintiff in error have four hours for the opening the counsel for the defendant in error eight hours for the reply and the counsel for the plaintiff in error four hours for the conclusion
27		
	David Wiener Appt vs The Newark Railroad Transportation Company	
28		
	Charles C. Weiner Appt vs The Newark Railroad Freight Company.	
29		
	Frederick H Coleman vs Compt The Hudson River Bridge Company at Albany.	Mr Brown of counsel for the defendants having suggested to the court that this case involved the same constitutional question as Nos 27. 28. & 29. moved the court for leave to come this cause when
257		

at the same time with them or before the court made up its decision in this case. In consideration whereof it is now here ordered by the court that the counsel on both sides in No 257 have leave immediately after the conclusion of the argument in No 27, 28 & 29 who to argue this case orally at the bar or to them submit the same on printed arguments.

Henry M. Rector &c Plffs

vs

Mary M. M. Ashley, Exrx of Chester Ashley dec'd, Roswell Bibb & al.

Mr Watkins of counsel for the defendants in error having filed and read in open court the following Stipulation of the parties, to wit:-

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"The plaintiff suggests and shows to the court here that pending the submission of this cause in the Supreme Court of the State of Arkansas, said Roswell Bibb died in the life and before the rendition of said decree, no substitution of his representatives was made or required. That George Bibb is the administrator with the will annexed of said Roswell Bibb, deceased, and his

"his action and desires of his wife state not
as it possess as Roswell C. Bebe, Emma
Bebe, Lou Bebe and Charles Bebe which
said Emma Lou and Charles are minors
of whom said George C. Watkins is guardian
duly appointed under the laws of Arkansas
And the parties are agreed that this cause
shall stand process to final hearing and adjudication in this Court in the name of Henry
M. Rector, plaintiff in error against Henry
W. Ashley as Executor and devisee of Chester
Ashley, deceased, George C. Watkins as administrator with the will annexed of Roswell
Bebe deceased, Roswell C. Bebe and Emma
Bebe, Lou Bebe and Charles Bebe infant
heirs and devisees of said Roswell by their
Guardian George C. Watkins, and Isaac
H. Badgett defendants in error, as fully and
effectually to all intents and purposes as
if such substitution had been made in said
Supreme Court of Arkansas; and the appearance of said defendants is now entered.

Geo. C. Watkins, of counsel for
all of said defendants -
Henry M. Rector, "

moved the court that the appearance of the [illegible] be
heard in this court for want thereof &c
Consideration whereof it is ordered
by the court that the appearance of [illegible]
H. Ashby account is and remain in [illegible]
Ashby against Geo. C. Sutton & others
Whereupon the petitioner by [illegible]
Counsel, Francis E. Rives and Geo. Keith
Gordon Rives and Chas. Irish moved the
Court to grant an order of [illegible] to
Geo. C. Watkins and Jacob H. Garnett &
others as directed by the decree
and that they be ordered to pay to the
defendants costs.

Sidney C. Coles . Motion to quash
vs Appl. for the appellant having
Benj. Thompson &c. ought not to be
the warrant &
of the original writ not to be quashed
from the ground of the same not [illegible]
Consideration whereof it is ordered
by the court that the said motion be
and the same is hereby overruled.

James C. Crosier
vs. Appt.
Craig Hampton Jr. Esq.

On the application of Mr. Scott of counsel for the appellant for an extension of the time to the appellant to commence the argument of this cause to four hours to be heard in the forenoon and the same time for the succeeding argument. It is now here ordered by the court that the appellant's counsel have three hours for the opening and three hours for the concluding argument. And the court informs the counsel for the appellant that they would have three hours for the argument of this cause.

James C. Crosier
vs. Appt.
Craig Hampton Jr. Esq.

On the account of this cause was commenced by the Counsel of counsel for the appellant.

Further ordered that the court do adjourn until this hour tomorrow morning at eleven o'clock.

The Court to adjourn until the court next
this morning at the accustomed
hour present

His Honor	Hon. [illegible]	Chief Justice
" "	Peter McLean	
" "	James St. Maine	
" "	John Carleton	Assistant
" "	[illegible]	Justices.
" "	[illegible]	
" "	Nathan Cushing	

William Abbott Esquire Master
William Thomas Esquire Clerk.

Proclamation being made this Court is opened.

On motion ordered to the court in this
County of Penobscot it appearing that
James Bowdoin Esquire of this State
of Maine is entitled to practice as an
Attorney and Counsellor of this Court in
this County accordingly.

On motion first made to the Court in this behalf by Mr Hamlin it is ordered that David Clark Esquire of Rensselaer State of New York be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr Osborn it is ordered that John H. Carroll Esquire of Rochester State of New York be admitted to practice as an Attorney and counsellor of this court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr Benjamin it is ordered that E. A. Broadwell Esquire of Livingston State of New York be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

Milne & Others
v.
Duncan Thompson for.

The arguments in this cause were continued by Mr Logan for the appellant & Mr Lawrence for the respondent when the Court intimated that as the time for the appeal would be expired before the next Session Mr Chief Justice Lord Inglis suggested that it would be as well to find another day. Mr Lawrence further continued his remarks for fifteen minutes. Mr Benjamin replied for the appellant concluding the argument.

Proclamation being made the Court rose and ordered until Tuesday the 3rd inst at eleven o'clock

Tuesday December 27th 1859.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honble.	Peter V. Daniel,	
"	James M. Wayne	
"	John Catron,	Associate
"	Samuel Nelson,	Justices
"	Robert C. Grier,	
"	Nathan Clifford.	

William Selden Esquire Marshal
William Thomas Carroll Clerk.

Proclamation being made the Court is opened.

Lewis M. Chase		Appeal to the
6 vs.	Appeal	Circuit Court of
N. Boden Belting Company		the United States
		for the District of
		Massachusetts.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts, and was argued by counsel - On consideration whereof, it is now here ordered and adjudged by this Court

that the judgment of the said Circuit Court in this cause be and the same is hereby reversed and set aside and that the cause be and the same is hereby remanded to the said Circuit Court with directions to issue a venire facias de novo

per Mr. Justice Wayne

Elec. B. Va. a Survivor of himself and Jonathan Ford deceased, & the Bank of Chillicothe Appellants

vs.

George H. Cunningham, Orpha Ewing & Col. Jonathan Ford deceased.

Appeal from the Circuit Court of the United States for the District of Michigan

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This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Michigan and was argued by counsel On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs

per Mr. Justice Wayne

The Schr Edward Sherman Hoff
& al Owners &c Appellants.

vs.

Urban Carnefax & al
Consignees of Pilotage of the
Bay & Harbor of Mobile.

Appeal from the Supreme Court of the State of Alabama.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Alabama and was argued by counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be and the same is hereby reversed with costs and that this cause be and the same is hereby remanded to the said Supreme Court in order that such further proceedings may be had therein in conformity to the opinion of this Court, and as to law and justice shall appertain.

Per Mr Justice Nelson.

Thomas C. Austin Esqr. &
Hiram and Ge. S Blakeslee
owners of the Steamboat Swan
56 vs Defendants.
Jordan Dewey Peter
Commissioners of Pilotage of
the Bay & Harbor of Mobile.

the cause to
the Supreme
Court of the
State of
Alabama

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Alabama and was argued by Counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be and the same is hereby reversed with costs, and that this cause be and the same is hereby remanded to the said Supreme Court in order that such proceedings may be had therein in conformity to the opinion of this Court and as to law and justice shall appertain.

Per Mr Justice Nelson.

1100 Tuesday December 27th 1859. Continued

David Hawes & Thomas Watkins and Mary Watkins his wife.		In error to the Supreme Court of the State of Arkansas
11	(vs) Plffs in er.	
Isaac Moore, Madison Bond Chas. Morris James P. Hilton, Eli J Black James F Batts & Duncan N. Craig		

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Arkansas and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be and the same is hereby affirmed with costs.

Per Mr Justice Catron.

Charles Hawes, Survivor of Alice Hawes	Plff in er	In error to the Circuit Court of the United States for the District of Maryland
13.	(vs)	
Francis Fenwick Surviving partner of Christian Keller		

This cause came on to be heard on

the transcript of the same from the Court of the United States for the District of Minnesota and was argued by Counsel.

On consideration whereof, it is now ordered and adjudged by this Court that the judgment of the said Court in this cause be and the same is hereby affirmed with costs.

By the Court. Taney

William L. Sanders Appellant
vs. Appeal from the Supreme
Isaac E. Gillis, William Court of the
E. Gillis, Antonia C. Gillis & Territory of
David A. Bradley Washington. Minnesota.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Minnesota and was argued by Counsel. On consideration whereof it is now ordered adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be and the same is hereby affirmed with costs and interest until paid

as to the same rate per annum that similar decrees bear in the courts of the State of Minnesota.

And it is further ordered adjudged and decreed by this court that this cause be and the same is hereby remanded to the Supreme Court of the State of Minnesota to be proceeded with in conformity to the opinion of this court and as to law and justice shall appertain.

per Mr. Jus. McLean

Ex parte In the matter of The United States, on the motion Richard M. Crawford

Subscribing docket. WD Henry Addison.

On the petition of R. M. Crawford for a peremptory mandamus or for a rule to show cause.

On the motion of Mr. Carlisle of counsel for the petitioner. It is now here ordered by the Court that this cause be and the same is hereby set down for argument next Friday the 6th January.

Tuesday December 27th 1852 Continued

Sidney E Cottin
vs
Henry Thompson et al

Appl

Recommended
that a case be
heard for the
opinion of Council

for the appellees.

Proclamation being made the Court did
recommend until tomorrow morning at 10 o'clock

Wednesday December 28th 1850.

Pursuant to adjournment the Court met this morning at the Capitol

Present.

The Hon.	Wm. Cranch,	
"	James M. Wayne,	
"	Jno. Cotton,	Assoc.
"	Samuel Nelson,	Justices
"	Robt. C. Grier,	
"	Nathan Clifford,	

William Thos. Carroll Marshal.
William Howard Carroll Clerk

Proclamation being made the Court is opened

Henry E. Cottin
vs. Appl.
Chas. Thompson

On a motion of this cause was continued by the Counsel of counsel for the appellees and by the Counsel of counsel for the appellant.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock

Thursday December 29th 1836.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

His Honorable	John Wilson	
" "	James Semple	
" "	John Caton	Associate
" "	Conrad Nixon	Justices
" "	Robert L Gillespie	
" "	Nathan Whitlock.	

William Selden Esquire Sworn
William Thomas Carroll, Clerk.

Proclamation being made the Court opened

On motion first made to the Court in this behalf by M. Lamborn it is ordered that C. Peabody Esquire of Chicago State of Illinois be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

106 William Wiseman — pltff in error
vs.
Jacob Chamberlain

Mr Benjamin of counsel for the plaintiff in error having suggested the death of William Wiseman the plaintiff in error, moved the court that the appearance of Richard A. Buckner testamentary Executor of said William Wiseman deceased be entered herein and that he be made party hereto as plaintiff in error in the place William Wiseman deceased, — On consideration whereof it is now here ordered by the court that the appearance of Richard A. Buckner testamentary executor of William Wiseman deceased, be entered as the plaintiff in error, and that he be and hereby is made the plaintiff in error in this case.

81 Adam Agibrie &c. — Appts.
vs.
The Union Insurance Co. &c.

Mr Elliot of counsel for the appellants having filed a certificate and read in open court a suggestion of a diminution of the record in this case in the words and

following to wit

That the Clerk of the Circuit Court issue a writ of Subpoena to the Defendant being a Director of the Mine Insurance Company as prayed for, by the 31st of March 1851, and that the Defendant plead to issue or demur to the Complainants Bill by the 1st July 1850." - By reason of which commissions all the persons against whom the said decree was to pass the Court to award a writ of certiorari to be directed to the Judges of the Circuit Court of the City of Richmond commanding them that searching the records and proceedings of said Court in this cause, they should certify to this Court under the Seal of the said Circuit Court whatever commissions and decrees shall be found. - On consideration whereof, it is now here ordered by this Court that a writ of certiorari be and the same is hereby awarded to issue forthwith and to be directed to the Judges of the said Circuit Court commanding them that searching the records and proceedings aforesaid they do certify to this Court under the Seal of the

of the said Circuit Court when the cause and every thing shall be found in the same plight and condition as it is now by the said writ of error is further directed to be sent.

Per Curiam

211	Silas A Colton ats. Thos Hampton &c	On the argument of this cause was presented by the counsel of the appellant
26	William H Richardson ats. plaintiffs in error William A Linn and	On the motion of Mr Anthony Howard Clerk for the U.S. Stanton) of counsel for the defendant in error. It is ordered by the Court that this cause be argued together with No 111 is each
111	William H Richardson ats. plaintiffs in error William A Linn	

case be argued together when the same is reached in the regular call of the docket.

354	A. B. White &c ats. plaintiffs in error Hamilton M Wright &c.	Mr Benjamin of counsel for the defendant in error having

[illegible] a motion to dismiss this writ of error for the want of jurisdiction in this court and for leave to enter up the motion for a rule and at some future day the [illegible] whether it is or not true as stated by the counsel that the time for which he was to be allowed is truly granted

John Hagan pltf in error vs John S Barbour, def.	On a consideration of this cause was argued by the counsel for the pltf in error

[illegible]

Whereupon came the parties by their counsel and the [illegible] argument thereof was continued [illegible]

Sunday December 30th 1850.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable John McLean
" " James M. Wayne,
" " John Catron, Associate
" " Samuel Nelson, Justices.
" " Robert C. Grier,
" " John A. Campbell
" " Nathan Clifford

William Thomas, Esquire Marshal
William Thomas Carroll Clerk.

Proclamation being made the Court is opened

Elisha Morris — Appeal to the Cir-
vs. Pfiffner. cuit Court of the
John Conz & Carlos Mora. United States for the
Northern District of Illinois

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that

the judgment of the last Circuit Court in this cause be and the same is hereby affirmed with costs

J. M. Scott

Extract from the records of the United States in the District of Kansas Territory.

Henry Addison } Contempt

Monday January Term 1859

Upon reading and filing the petition of Henry Addison praying for a supersedeas and a diminution of the record in this cause in the words and figures following to wit:

"And the said Henry Addison comes and shows that a verdict in writing signed, sigmed by the jurors aforesaid was rendered in the cause in said court"

By reason of which premises and the said cause is now pending in the Supreme Court to be heard at the next December term to be holden at the City of Washington in the District of Columbia commanding them that they shall send the record and proceedings in said cause to the said Supreme Court

Jury of the said County Court whether the said
in the said cause did show a receipt in writ-
ing signed by the said justice respectively
and whether the same is filed among the
proceedings in said cause and return a copy
thereof together with any other evidence and
matter that may be given. On examination
of same, it was by the Court ordered
by the consent of parties that
the same should be received in evidence
and it is directed to the Jurors of the
said Circuit Court aforesaid that
forthwith the said Court aforesaid
under the seal of the said Circuit Court
whether the justice in said cause did show
a receipt in writing signed by the said
justice respectively and whether the same
is filed among the proceedings in said cause
and return a copy thereof together with any
other evidence and matter that may be given
in said cause and return the same with the
said writ of certiorari forthwith to this Court

per Curiam

Martin L. Todd, and
Alfred H. Woods.
vs
Appeal from the Circuit Court of the United States for the District of Ohio.
Alfred Mercantile
Assignee of Alfred H. Woods

Mr Victor appeared for the appellees during part of the session of the Court the following certificate, to wit:

"Circuit Court of the United States for the District of Ohio.

Alfred Mercantile Assignee of Alfred Woods Complainant
Versus
Martin L. Todd and Alfred H. Woods Defendants

I John McLean Circuit Justice of the Circuit Court of the United States for said District of Ohio do hereby certify that in a certain cause in Chancery now pending in said Court between Alfred Mercantile Assignee complainant and Martin L. Todd and Alfred H. Woods defendants on appeal and a point thereon was made by said

court on the twenty fourth day of May in Eighteen hundred and fifty eight in favor of the said Complainant Cobb & Abernethy and to the words and figures following to wit:

"This cause being heard upon the Bill of the Complainant, the Exhibits thereof, the Answer of the defendants the Exhibits thereof and the plaintiffs replication thereto and the testimony and proofs. The Court find by the said testimony that the sale made by the said defendant Hood to the said defendant, Dean of the date of the 27th day of April 1858 and acknowledged on the 28th day of April 1858 conveying the land in question in this cause, a transcript of which is exhibited with the Bill was made by the said Hood and was obtained and accepted by the said Dean, without legal consideration and with the intent to defraud the creditors of the said Hood, and the same and each is void as against the said creditors and the plaintiff.

"The Court further find that the said Hood had sold or contracted to sell all of the Town lots in said Town of West Whiteling, and has conveyed the same to

bona fide purchasers, by the said Sheriff of parcels of the said tracts of land to whom the said Town plat that is to say - F. Mary Ann Alexander and others described in his deed to them a copy of which is on file in this cause, as being off lying part to Robert Nixon and William H. Rogers a tract described as being 80 feet wide from Main St. to the Ohio river. F. Mary Alexander a parcel of said land described in her deed as being 99 by 55 feet to Sarah Whitney another parcel described as being 99 by 55 feet. F. Malinda F. Dunn another parcel described in her deed as being 99 by 55 feet to A.V. Jordan & Co. a parcel specified in the deed to them. The Court is of opinion that the said Todd ought to account for all money he has received for the sale of such parcels of the said real estate as is not conveyed. Also for all the money he has collected by way of rents and profits of the said real estate including the costs in the said cause & for the money he has received for dower or otherwise for or on account of the said land, after taking out his com-

last expended and have paid thereon and all other proper charges. The petition whereupon it is by the Court here ordered that the said deed of conveyance so made by the said Woods to the said Hood and so remained and is without legal consideration and that the same was made and obtained to defraud the creditors of the said Woods and that the same be set aside and held for naught as against those who were the creditors of the said Woods: that the said whole transaction with the exception of the water power and the other lands mentioned be sold by St. Clair Keese Esq of Belmont County, who is now duly appointed Special Master Commissioner in this case according to law. That in the said sale, the said Special Master may sell the same in such parcels as he may judge to be most beneficial to the creditors of the said Woods and with the assent of the plaintiff now has given he may sell the same on the following terms viz third cash in hand, and the remainder in equal payments of one and two years with interest from the day of sale secured

to his satisfaction. That case is now referred to the said Special Master Commissioner to take the accounts between the said Defendant and the plaintiffs as follows. 1st On account of the money received by the said Defendant on the sale of the whole of the said property or any part thereof. 2d The money received by the said Defendant for rents and profits of the same including the Jury if any. 3d Any money received on any other account for the said land or anything growing out of the same. 4th That he take an account of the actual expenses incurred and laid out by said Defendant on the said land and all other proper charges which he may have against the same. And in taking the said account, either party may be examined on interrogatories before the Commissioner. That the proceeds of the said sale, to be brought into account and any account to be found, shall be brought into Court to abide its further order and decree. And it is ordered that the Defendants pay the costs of this cause to be taxed in taking the said account and that execution issue therefor as at law. That the costs of the said account be taken out

and be paid by the jury to be made thereby.
The master shall notify the parties to appear
before him after he shall close the testimony
which shall be taken before him or otherwise
on reasonable notice from the party taking
the same to the adverse party.

And now on motion of Thomas M.
Key Solicitor for the defendants it is ordered
that said defendants Martin L. Todd and
Clifford Todd, have leave to appear this
cause upon their entering into bond with
sufficient security to be approved by
the Clerk of this Court in any competent
sum thereof in the sum of three thousand
dollars conditioned for the payment of
all damages and costs which may be
adjudged against them according to law:
And it is by the court adjudged and also
by the parties admitted that the amount in
controversy between the complainant and the
defendants in this cause exceeds the sum
of five thousand dollars, exclusive of costs."

And I do hereby further certify that
afterwards to wit on the day and year last afore-
said, the said defendants Martin L. Todd

and Alfred H Hoods prayed an Appeal from the said decree to the Supreme Court of the United States which was then and there duly allowed, returnable to the then next term of said Supreme Court of the United States, to wit: on the first Monday of December A.D. 1858 for the purpose of having the aforesaid decree reversed.

And I do further certify that a true Copy of said case has been prepared and ready to deliver to the plaintiffs in Error; and not being demanded, the same remains in my office ready for delivery on the demand of said plaintiffs.

In Testimony whereof I have hereunto set my hand and affixed the Seal of said Court, this 30th day of Dec. A.D. 1859, and in the 84th year of the Independence of the U.S. of America.

Seal.

Attest. Wm McLean Jr.
Clerk Cir Ct"

and having stated that the appellant has altogether failed to file the record in said

cause in this Court, or in any way to prosecute said appeal. Now here moves the Court in pursuance of the 9th rule of this Court to have this appeal docketed and dismissed. On consideration whereof it is now here ordered adjudged and decreed by this Court that this appeal from the Circuit Court of the United States for the Southern District of Ohio be and the same is hereby docketed and dismissed with costs and that this cause be and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity to law and justice the fair act of error notwithstanding.

per Mr Jus: McLean.

Adm[r] of John Hagan jr. Appt
vs
Wm S. Foster & wife.

The argument of this cause was continued by Mr Taylor of counsel for the appellant by Mr Benjamin of counsel for the appellees and concluded by Mr Taylor for the appellant.

Charles Richardson and
Claimts of the Bargue Company
vs. Appellts
David Cadwalader et al.

The argument of this cause was commenced by Mr. Shipley of counsel for the appellants.

Proclamation being made the Court is then
adjourned until Tuesday morning at ten o'clock

Tuesday, January 5th 1860.

Pursuant to adjournment the Court met this morning at the Capitol

Present.

Hon Ebenezer	John McLean	
" "	Thomas N. Hayne	
" "	John Catron	Associate
" "	Samuel Nelson	Justices
" "	Robert C. Grier	
" "	John Campbell	
" "	Nathan Clifford	

William Seldon Esquire, Marshal,
William Thomas Carroll, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Phillips it is ordered that John T. Lomax Esquire, of Demopolis State of Alabama be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr Watkins it is ordered that A. Hutchwell, Esquire of Little Rock, State of Arkansas be admitted to practice as an Attorney

and Counsellor of this Court and he was sworn accordingly.

Alexander Ray William R. Marshall and Joseph R. Marshall, partners under the name Style of firm of Marshall Bros. & Co. vs. James H. Simpson

Error to the Supreme Court of the Territory of Minnesota.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Minnesota and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be and the same is hereby affirmed with costs and interest until paid at the same rate as cases that similar judgments bear in the Courts of the State of Minnesota.

And it is further ordered and adjudged by this Court that this cause be and the same is hereby remanded to the Supreme Court of the State of Minnesota

in order that such proceedings may be had therein in conformity to the opinion of this Court and to law and justice shall appertain.

per Mr Jus: Clifford

Russ L. Gidley, Clarissa L. Bell, Sarah F. Snyder and Charles Snyder vs. Appts	Appeal from the District Court of the United States for the Northern District of Iowa.
215 David Ryan	

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of Iowa and was argued by counsel. On consideration whereof, it is now here ordered, adjudged and decreed by this Court that the Decree of the said District Court in this cause be and the same is hereby affirmed with costs.

per Mr Jus: Campbell.

Eut L. Shidley & Clarissa H. Beebe Sarah F. Snyder and Charles Snyder Jun. Appts		Appeal from the District Court of the United States for the Northern District of Iowa.
316	vs.	
Edwin A Westbrook and James P. Seager.		

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of Iowa and argued by Counsel - On consideration whereof it is now here ordered and decreed by this Court that the decree of the said District Court in this cause be and the same is hereby affirmed with costs.

per Mr. Justice Campbell.

David Ogden Appt		Appeal from the Circuit Court of the United States for the Southern District of New York.
23.	vs.	
Nathan Parsons who sues as Joshua Atkins Edwin Atkins and Joshua Atkins Jr.		

This cause came on to be heard on

the transcript of the record from the Circuit Court of the United States for the Southern District of New York and was argued by counsel - On consideration whereof, it is now here ordered, adjudged and decreed by this court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar decrees bear in the Courts of this State of New York

per - Mr Justice Grier

William Chapman Freeman & Carey & William M. F. Hewson Testamentary Executors of Charles M'Knight dec'd: vs. Appts Franklin Perin -	Appeal from the Circuit Court of the United States for the Eastern District of Louisiana -

155

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Louisiana and was argued by counsel On consideration whereof it is now here

ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with Costs.

per Mr Justice Nelson

White Water Township of Franklin County — Appellants vs Appellees. John A Buck Auditor &c. Wm Nelson, Treas of Franklin Co.

Error to the Supreme Court of the State of Indiana —

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Indiana and was argued by counsel on consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be and the same is hereby affirmed with costs.

per Mr Justice Catron

Tuesday January 3d 1860 Continued -

50	Springfield Township of Franklin County - vs Plffs in er John H Ewbank auditor and William Tibson Treasurer of Franklin County.	In error to the Supreme Court of the State of Indiana -

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Indiana and was argued by Counsel On consideration whereof it is now here ordered & adjudged by this Court that the judgment of the said Supreme Court in this cause be and the same is hereby affirmed with Costs per Mr Justice Catron

27	Charles E Milner Appt vs The N.S. Railroad & Transp Co et al	It is now here ordered by the Court that the writs of error in these causes be and they are hereby postponed to the first Monday of February next.
28	David Bigelow Appt vs The N.S. R.R. & Transp Co et al and	
29	Charles E Milner Appt vs The Newark Plank Rd & Ferry Co et al.	

25 Charles Richardson et al Owners of the Barque Tangier vs Appts David Leonard et al.

The argument of this cause was continued by Mr Shipley of counsel for the appellants and by Mr Cushing of counsel for the appellees.

155 Charles McMicken vs Appt Franklin Perin

Mr Benjamin of counsel for the appellant having filed the copy cause of William G Eyman Truman G Carey and William M. F. Hewson Testamentary Executors of Charles McMicken deceased, It is on the motion of said counsel now here ordered by the Court that the appearance of the said William G Eyman Truman G Carey and William M F Hewson Testamentary Executors of Charles McMicken deceased be entered and that they be and are hereby made the appellants in this cause.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Wednesday, January 11th 1860.

Pursuant to adjournment the Court met this morning at the Capitol -

Present

The Honorable John McLean
James M Wayne
John Catron, Associate
Samuel Nelson Justices
Robert C. Grier
John A Campbell
Nathan Clifford

William Tilden, Esquire, Marshal
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened.

On motion just made to the Court in this behalf by Mr Ewing, it is ordered that Stephenson Taft Esquire of Cincinnati State of Ohio be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly -

Charles Richardson & ors
Owners of the Barque Jeanie
vs. Appts
David Goddard & ors.

The argument of this Cause was commenced by Mr Stickney of Counsel for the appellants

Ed C. Nelson & Co. Appts
vs
Samuel Cleaves for Claim &
of the Steam Prop. Chas. P. Stokes

The argument of this Cause was commenced by Mr Pike of Counsel for the appellants and continued by Mr Gillet of Counsel for the appellees.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock

Thursday January 5th 1860.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable John McLean,
James M. Wayne
John Catron Associate
Samuel Nelson, Justices.
Robert C. Grier
John A Campbell
Nathan Clifford

William Selden Esquire, Marshal.
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr. Nathan it is ordered that R. J. Gittings Esquire of Baltimore State of Maryland be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

On motion just made to the Court in this behalf by Mr Pillsbury it is ordered that George F Comstock Esquire of New York City State of New York be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

M. F. Shortz John V. Clay & Thomas Hillman Sinsheimer vs Jefferson & George N. Sigman	Appeal to the District Court of the United States for the Southern District of Iowa.

334

Mr Curtis of counsel for the defendant in error having filed and read in open court the following certificate, to wit:

"Clerks Office District Court of the United States for the District of Iowa Southern Division

Be it remembered that heretofore to wit at the June Term A.D. 1859 of the District Court of the United States for the District of Iowa Southern Division begun and holden in the Cities on the 6th day of June in the year aforesaid there was prosecuted in said Court a cause entitled: —

George A Lyman
vs.
M. F. Hunt, John W. Cleghorn
and William Simberman
} Debt

And that plaintiff recovered a judgment against defendants for the sum of $3452.00/100 in said suit so prosecuted in said Court at said June Term A.D. 1859; that defendants excepted to the ruling of the Court and the order for entering judgment on the trial of said cause, which bill of exceptions was duly signed by the Court and that a writ of error to the Supreme Court of the United States was duly sued out thereon by defendants and allowed by the Court, and that said defendants in said original cause, plaintiffs in error, have failed to prosecute said writ of error in said cause up to this 21st day of December A.D. 1859-

In Witness whereof I J. C. Burns Clerk of said District Court of the United States for the District of Iowa hereby sign my name and affix the seal of said Court at Keokuk this 21st day of December A.D. 1859-

Seal

J. C. Grant Clerk
by A. J. Watling Deputy"

and having stated that the plaintiff in error had altogether failed to file the record of said cause in this Court, or in any way to prosecute said writ of error now moved the Court in pursuance of the 9th rule of this Court to have the writ of error dismissed and dismissed - On consideration whereof it is now here ordered and adjudged by this Court that this writ of error to the District of the United States for the Southern District of Iowa be and the same is hereby declared and dismissed with costs and that this cause be and the same is hereby remanded to the said District Court for further proceedings to be had therein in conformity to law and justice the said writ of error notwithstanding -

per Mr. Justice McLean -

Avarus Waggaman & Martha Waggaman, Benjamin H. Waggaman Nathaniel Lyon & Noah Lyon	In error to the District Court of the United
31 vs.	States for the
Plffs in er	District of
Peter Hein Garrett Vliet, Gaspar Vliet and John Vliet.	Wisconsin.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Wisconsin and the stipulation of counsel for the respective parties that the judgment of the said District Court in this cause should be reversed and the cause remanded with directions to award a venire facias de novo. Whereupon it is now here on the motion of the Attorney of counsel for the plaintiffs in error considered, ordered and adjudged by this Court that the judgment of the said District Court in this cause be and the same is hereby reversed with costs and that this cause be and the same is hereby remanded to the said District Court with directions to award a venire facias de novo.

per Mr. Justice McLean

30 S. C. Allen & Co. Appts
vs
Samuel C. Carnes et al
Clerks of the Steamer Virginia
Steamer H. M. Shreve

The argument of this cause was continued by the Clerks of counsel for the appellees and concluded by Mr Pike of counsel for the appellants.

33 Abel Parker pltff in er.
vs
Henry S. Kane

The argument of this cause was commenced by the Gillings of counsel for the plaintiff in error

Proclamation being made the Court stood adjourned until tomorrow morning at eleven o'clock

Friday, January 6th 1860 -

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable John McLean,
James M. Wayne,
John Catron
Samuel Nelson,
Robert C. Grier
John A. Campbell
Nathan Clifford.

} Associate Justices -

William Selden Esquire Marshal,
William Thomas Carroll Clerk -

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Taylor it is ordered that William J. Hansberry Esquire of New Orleans State of Louisiana be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly -

36 Henry Chick pet. vs Benjamin Ford. } On the motion of Messrs Nelson & Peck of counsel for the plaintiffs in error filed in this case setting forth their indisposition, and the written assent of Messrs Bennett & Bruce of counsel for the defendant in error. It is now ordered by the Court that the argument of this cause be and the same is hereby postponed to next Monday week the 16th instant.

7 Ex parte: In the matter of Mary B. Farrar vs Comfs Joseph B Wilkinson. } On the motion of Mr Gill Bennett of counsel for the petitioner. It is now ordered by the Court that the application for a mandamus in this cause be and the same is hereby set down for argument on Friday the 20th instant.

The United States
vs. pltffs in er.
James L. Conover admr.
of Philip Cooley 2d.

In error to the Circuit Court of the United States for the District of Massachusetts.

Mr. Cushing of counsel for the defendant in error having filed a writ of error together with a transcript of the record of this cause duly certified by the Clerk under the seal of the Circuit Court of the United States for the District of Massachusetts and having stated that the plaintiff in error has altogether failed to file the record of said case in this Court or in any way to prosecute the writ of error in this case now moves the Court in pursuance of the 6th rule of this Court to have this writ of error docketed and dismissed. On consideration whereof it is now here ordered and adjudged by this Court that this writ of error to the Circuit Court of the United States for the District of Massachusetts be and the same is hereby docketed and dismissed and that this cause be and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity to law and justice the said

writ of error notwithstanding
for Wm. Jas. M. Scau

On motion of the Attorney of the United States on the statute 25 Sect. 13 & argued Bought &kt. vs Henry Addison	The argument of this cause is ac- companied by Mr Custis of Counsel for the petitioner, continued by Mr Paul & Bentley in opposition to the petition and continued by the Court of Counsel in the petitioner.

Joel Baker plff in 33 vs Henry L Kane	The argument of this cause was continued by Mr J. S Brown of Counsel for the defendant in error

The United States 335 vs plff in er. James L Cowan exr. of Philip Cuzby Jr	On the motion of the Counsel of the defendant in error it is ordered by the Court that the Clerk may issue a writ of pro-

ordered in this case during the present term.

Proclamation being made the Court is adjourned until Monday morning at eleven o'clock.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable John McLean
" " James M. Wayne,
" " John Catron, Associate
" " Samuel Nelson, Justices
" " Robert C Grier,
" " John A Campbell
" " Nathan Clifford

William Sibley Esquire Marshal
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Attorney General Black it is ordered that Henry Seldyard Esquire of Detroit, State of Michigan be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

John C. Hale, pltff in er.
16 vs.
William H. Gaines, & Maria Gaines his wife, Albert Bolding, Henry Bolding and Thos Bolding his Legal representatives of Ludovicus Bolding, decd. -

In error to the Supreme Court of the State of Arkansas -

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Arkansas and was argued by counsel On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be and the same is hereby affirmed with costs -

Mr Jus. Catron

Henry Rector & Wilson Shoham pltffs in er.
13. vs
William H. Gaines & Maria Gaines his wife, Albert Bolding, Henry Bolding & Thos Bolding his Legal representatives of Ludovicus Bolding, decd. -

In error to the Supreme Court of the State of Arkansas.

This cause came on to be heard on the

transcript of the record from the Supreme Court of the State of Arkansas and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be and the same is hereby affirmed with costs.

Jn. McLean Justice

Loretta T. Hunter - plff in er.

17 vs Error to

William H. Gaines & Maria Gaines the Supreme his wife, Albert Belding, Henry Court of Belding & Eli. Belding heirs & legal Rs. of State of Arkansas Rudolphus Belding dec'd. defendants.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Arkansas and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be and the same is hereby affirmed with costs.

Jn. McLean Justice

Roxana Butler & Edmund Mills

18 vs Jeffs in error To error to the
William H Gains & Maria Gaines Supreme Court
his wife Alfred Belding, Henry Be of the State of
ding & Geo: Belding heirs & legal Arkansas.
representatives of Ludovicus Belding dec'd

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Arkansas and was argued by counsel On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be and the same is hereby affirmed with costs

per Mr Jus. Catron -

Enoch Sweetzer pltff in er.

14 vs.

William H. Gaines & Maria Gaines To error to
his wife formerly Maria Belding the Supreme
Alfred Belding Henry Belding & Geo Court of the
Belding heirs of Ludovicus Belding, dec'd. State of
Arkansas

This cause came on to be heard

on the transcript of the record from the Supreme Court of the State of Arkansas and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be and the same is hereby affirmed with costs.

Per Curiam Jas. Gabon

Joel Parker vs Morgan L. Kane	The argument of this cause was continued by Mr. J. Brown of counsel for the defendant in error and concluded by C. M. Mackey of counsel for the plaintiff in error.

33

Proclamation being made the Court stood adjourned until ten morning at nine oclock.

Tuesday January 10th 1860.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable	John McLean	
"	James M. Wayne	
"	John Catron,	Associate
"	Samuel Nelson	Justices
"	Robert C. Grier,	
"	John A. Campbell	
"	Nathan Clifford	

William Sudan, Esquire, Marshal
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr Black, it is ordered that John H McPherson Esquire of Prince Georges County State of Maryland be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr Black, it is ordered that Wm Vandeven, Esquire of Dubuque State of

Steva be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly

34 Pierre A. Berthold &c. vs Jefferson James McDonald &c.

On the motion of Mr Washburn of Counsel for the plaintiffs in error it is ordered by the Court that the Counsel for the plaintiffs in error have leave to file a printed argument in this case in error before the middle of February next upon his sending a copy thereof to the Counsel for the defendants in error and that the said Counsel for the defendants in error have a reasonable time thereafter to file a printed argument in reply thereto

41 Joseph G. Palmer &c. vs Stephen The United States.

On the motion of Mr Benjamin of Counsel for the appellants it is now here ordered that this cause be postponed for the present with the privilege to either party to move the same for entry of any decree

Tuesday January 10th 1860 Continued -

order is decree is for argument on notice of ten days to the opposite party -

	Wm. A Bethell pal in pffs in err. vs James McDonald	This cause was argued by Messrs Gamble & Blair of counsel for the defendants in error.
34		

	Thomas C. Le Roy pal vs Appls Benjamin Latham jr. pal.	On the motion of Mr Noyes of counsel for the appellants suggesting the sudden indisposition of his associate Mr Stoughton it is now here ordered by the Court that this cause be and the same is hereby postponed for the present.
35		

	Charles Kock vs pffs in err. Louis Emmerling	This cause was argued by Mr Benjamin of counsel for the defendant in error, and submitted on a printed argument by Mr Pike in behalf of the plaintiff in error.
37		

38 The City of New Orleans vs Plff in Er. Myra Clark Gaines. The argument of this cause was commenced by Mr. Benjamin of counsel for the plaintiff in error, continued by Mr. Phillips of counsel for the defendant in error and concluded by Mr. Benjamin for the plaintiff in error.

39 Daniel Clark's exrs vs Appellt. Fletcher Creighton &c This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Truman of counsel for the appellants and by Mr. Ayres of counsel for the appellees.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Wednesday January 11th 1860.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable John McLean.
" " James M'Kinley,
" " John Catron, Associate
" " Samuel Nelson Justices
" " Robert C Grier,
" " John A Campbell
" " Nathan Clifford.

William Selden, Esquire Marshal
William Thomas Carroll Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court on this behalf by Mr. Benjamin it is ordered that S. H. Rickard, Esquire of Dubuque State of Iowa be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

On motion Joel Munn by his Counsel on this behalf by the Court it is ordered that Mr John D Thurwood Esquire of San Francisco State of California be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly

35 Thomas C Le Roy Jr vs Appts Benjamin Latham Jr et al

The argument of this cause was commenced by Mr Stoughton of counsel for the appellants and continued by Mr Keller of counsel for the appellees.

Proclamation being made the Court adjourned until tomorrow morning at ten o'clock.

1854. Thursday January 12th 1860.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable John McLean
" " James M. Wayne,
" " John Catron
" " Samuel Nelson, Associate Justices
" " Robert C. Grier,
" " John A. Campbell
" " Nathan Clifford.

William Selden, Esquire, Marshal
William Thomas Carroll Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr E. M. Stanton it is ordered that Martin Dehuff, Esquire of Philadelphia State of Pennsylvania be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly -

Elisha L. Litchfield
vs
Edward Cook.

Appeal to the Supreme Court of the City of New York

337

Mr. Noyes of counsel for the defendant in error having filed a transcript of the record in this cause duly certified by the Clerk under the seal of the Supreme Court of the City of Norfolk and also a duly authenticated copy of the writ of error which was tested on the first Monday of December Eighteen hundred and fifty eight and made returnable on the second Monday of December Eighteen hundred and fifty nine and having stated that the plaintiff in error had assigned errors to the record of said cause in this Court & is ready to prosecute said writ of error, now this day came the Court in pursuance of the 4th rule of this Court to have this writ of error docketed and dismissed - On motion of the defendant in error, it is now here ordered and adjudged by this Court that this writ of error to the Supreme Court of the City of Norfolk be and the same is hereby docketed and

dismissed with costs, and that this cause be and the same is hereby remanded to the said Superior Court for further proceedings to be had therein in conformity to law and justice the said writ of error notwithstanding

for Mr Justice McLean.

Thomas LeRoy &ai.
vs. Appts
Benjamin Latham &ai.

The argument of this cause was continued by Messrs Hall and Holland of counsel for the appellees and by Mr Noyes of counsel for the appellants.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock

Pursuant to adjournment the Court met this morning at the Capitol

Present,

The Honorable John McLean,
" " James M. Wayne,
" " John Catron, Associate
" " Samuel Nelson, Justices.
" " Robert C. Grier
" " John A Campbell
" " Nathan Clifford.

William Seiden, Esquire Marshal,
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened.

On motion duly made to the Court in this behalf by Mr Dixon it is ordered that Albert G. Porter, Esquire of Indianapolis State of Indiana be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly -

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Friday January 13th 1860 Continued.

33	Thomas C. LeRoy et al vs Appts Benjamin Tatham et al	The argument of this cause was concluded by Mr Royal of Counsel for the appellants.
40	William H. Upshur et al vs Plffs. Board of Comrs of the County Court	The argument of this cause was commenced by Mr Winston of Counsel for the plaintiffs.

Proclamation being made the Court is adjourned until Monday morning at eleven o'clock.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable	John McLean	
"	James M. Wayne	
"	John Catron	Associate
"	Samuel Nelson	Justices
"	Henry Baldwin	
"	John A. Campbell	
"	Nathan Clifford	

William Wirt Esquire Attorney
William Thomas Carroll Clerk.

Proclamation being made the Court is Opened.

On motion first made to the Court in this behalf by Mr Wirt it is ordered that Mr H. Caldwell Counsellor of College Hill Hamilton County State of Ohio be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly

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Charles McMicken's Extrs.
vs. Appts
133 Franklin Perin.

On the motion of Mr Benjamin of counsel for the appellants, it is now here ordered by the Court that the Clerk may issue a mandate or writ of procedendo in this cause at any time during the present term of this court.

Charles Richardson Jar
Claimts of the Barque "Yanguin".
vs. Appts
95 David Goddard Jar, Libelt.

Appeal from the Circuit Court of the United States for the District of Massachusetts.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts and was argued by counsel - On consideration whereof, it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby reversed with costs and that this cause be and the same is hereby remanded to the said Circuit Court with directions to that Court to dismiss the libel with costs - per Mr Justice Grier.

Mary Ann Adams admx of John Hagan jr. Appt
vs
John S. Preston & Caroline A Preston his wife.

Appeal from the District Court of the United States for the Eastern District of Louisiana.

33

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Eastern District of Louisiana and was argued by counsel on consideration whereof it is now here ordered, adjudged and decreed by this Court that the decree of the said District Court in this cause be and the same is hereby affirmed with costs.

per Mr Justice Wayne

Stephen C. Nelson, Ellison Bankhead & Henry L. Walker and Thomas A. Nelson partners under the firm of S.C. Nelson & Co.
vs
Lucius C. Leland, John H. Cook & Duncan & Williams & Mc Rae Coffman & Co Owners of the Steamer Brigade Gen. U. S.

Appeals from the District Court of the United States for the East ern District of Louisiana

30

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Louisiana and was argued by counsel. On consideration whereof it is now here ordered, adjudged and decreed by this court that the decree of the said Circuit Court in this cause be and the same is hereby reversed with costs, and that this cause be and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity to the opinion of this court

Dissenting Mr. Justice Campbell — Mr. Justice Wayne

Wm H. Hyperman &c. pltffs
vs
Board of Commissioners of the County of Carroll -

The argument of this cause was continued by Mr. Porter of counsel for the defendants and concluded by Mr. Benjamin of counsel for the plaintiffs -

42 Robinson Lytle vs. Jas. Pepper vs. The State of Arkansas Jas.

Error to the Judgment of this Court rendered & announced by Mr Bradley of counsel for the plaintiff in error.

Proclamation being made the Court adjourned until tomorrow morning at eleven o'clock.

1860 Tuesday January 17th 1860.

Pursuant to adjournment the Court met this morning at the Capitol -

Present.

The Honorable	John M Lean	
" "	James M Kayne	
" "	John Catron,	Associate
" "	Samuel Nelson,	Justices -
" "	Robert C Grier.	
" "	John A Campbell	
" "	Nathan Clifford.	

William Nelson, Esquire, Marshal
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened -

Robinson Fyth & wife &c. vs. Jessup & Moore &c. } No 42. In Error to the State of Arkansas &c.

The argument of this cause was continued by Mr Bradley of Counsel for the plaintiffs in error and by Mr Pike of Counsel for the defendants in error.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock -

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable	John Tyler.	
"	James M. Mayo,	
"	John Gabion	Associate
"	Samuel Nelson	Justices.
"	Robert Gamble,	
"	John Hampton,	
"	Julian Cogbill.	

William Selden Esquire Marshal
William Thomas Carroll Clerk

Proclamation being made the Court is opened

On motion first made to the Court in the behalf by Hon James M. Mayo it is ordered that William Asher Cooke of Richmond State of Virginia be admitted by Examination to be Attorney and Counsellor of this Court and he was sworn accordingly —

Wednesday, January 18th 1860. Continued

42	Nelson Lyle & wife &c vs pffs in e. The State of Texas &al.	The argument of this cause was concluded by Jos. H. Bradley of counsel for the plaintiffs in error.
43	Samuel Swan &al. vs pffs Herman & Redfield, late officers &c.	This cause was submitted to the consideration of the Court on the transcript of the record
44	Bryan Roach & Dennis Long composing the firm of Roach & Long. vs Appts William Chapman &al. & wife of the Steamer Capitol &c.	This cause was submitted to the consideration of the court on the record and on printed argument by Mr Benjamin of counsel for the appellants.

David Bright & James Bridgford complainants the form of Bright & Bridgford
vs. Libl & Appts.
Thomas H. Legal & wife of the Steamer Eagle & U. Soliance Surety

Appeal from the District Court of the United States for the Eastern District of Louisiana

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Eastern District of Louisiana, and it appearing to the Court that no appearance of Counsel has been entered in this cause it is therefore pursuant to the 16th rule of this Court, now here ordered adjudged & decreed by this Court that the decree be and the same is hereby dismissed with costs and that this cause be and the same is hereby remanded to the said District Court to be proceeded in according to law and justice.

per Mr. Just. McLean

Edwd. H. Coats for use &c of Ralph Wilkins, dec'd
vs. Libl & Appts in
Edward J. Pontlant.

The argument of this cause was commenced by Mr. Conry of counsel for the plaintiffs in error.

Johnson Lytle & wife & al. vs Pilgrim &c. The State of Arkansas &al.

42

Mr Beasley of Counsel for the plaintiff in Error having suggested the death of Absalom Fowler one of the plaintiffs in error now here moved the Court for leave to enter the appearance of Joseph Stillwell and his wife Mary Ann Stillwell and Elizabeth Walker devisees of said Absalom Fowler and the said Joseph Stillwell sole Executor of the last will and testament of said Absalom Fowler, deceased, as plaintiffs in error in this cause; and also at the same time the aforesaid counsel now here moved the Court with the assent of Mr Watkins of Counsel for the defendants in Error, to enter the appearance of Charles F. M. Noland (who has been appointed by the Chancery Court of Pulaski County receiver in the case of the State of Arkansas complainant against Henry L. Pinson & al. Trustees of the Real Estate Bank & others) as a defendant in error in this case - On consideration whereof it is now here ordered by the Court that the appearance of Joseph Stillwell and his wife Mary Ann Stillwell and Elizabeth Walker, devisees of Absalom Fowler, and the

said Joseph Hanner for Executor of the last will and testament of said Isaiah Scott deceased, be entered as plaintiff in error in this Cause and that they be now hereby made parties and as plaintiffs in error in this Cause – and also that the appearance of the said Charles F. Ingersoll be entered as defendant in error and that he be and he is made a defendant in error in this Cause

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Thursday January 11th 1866.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable John McLean,
" James M. Wayne,
" John Catron,
" Samuel Nelson
" Robert C. Grier,
" John A. Campbell,
" Nathan Clifford.

William Seaton Esquire Marshal,
William Thomas Court Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Evarts it is ordered that William A. Clark Esquire of New York City, State of New York be admitted to practice as Attorney and Counsellor of this Court and he was sworn accordingly.

46 Edward F. Castle for use &c of Joseph Gilmore &c vs Edward F. Bullard.

The argument of this cause was continued by Gilbert of Counsel for the defendant was concluded by Bradley of Counsel for the plaintiffs in error.

Mr Gittings suggested to the Court that the melancholy tidings of the death of this distinguished brother John Nelson of Baltimore late Attorney General of the United States which had just reached this City might warrant it as a tribute to suspend the business of the Court for the residue of the day, and therefore moved that this Court do now adjourn until tomorrow

Whereupon Mr Justice Nelson arose

"At the death of Mr Nelson we feel the deepest regret and feel constrained to suspend our business and let our professional sentiment the Court will now adjourn."

1870. Thursday January 19th The Court met

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Friday, January 20th 1860.

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable John A. M'Lean
" " James M. Wayne
" " John Catron, } Associate
" " Samuel Nelson, } Justices.
" " Robert C. Grier
" " John A. Campbell
" " Nathan Clifford.

William Selden Esquire Marshal
William Thomas Carroll Clerk.

Proclamation being made the Court adjourned.

On the opening of the Court this morning Mr Black, the Attorney General of the United States, made the following remarks.

"May it please your Honors:

Yesterday after the adjournment of the Court the members of the Bar assembled in public meeting for the purpose of agreeing upon some suitable tribute of respect to the memory of our distinguished brother Mr Nelson of Maryland. The meeting passed [illegible]

resolutions and charges, me with the duty of presenting them to the Court with a request that they be placed upon your records

Mr Nelson was much less intimately known to me than to many others who are present; my personal acquaintance with him was slight but I knew him well by his reputation which was as wide as the Nation itself and as far from it as each of the countries of his fellow citizens. Those who enjoyed the privilege of his close companionship speak of his social virtues with an enthusiasm which shows how amiable he must have been in all the relations of private life. There are many who remember him with admiration as he took long ago in Congress at the head of the delegation from his native State. Others can tell how faithfully he may he served his country as her minister abroad. But you yourselves, the Judges of this Court, are the best witnesses of his professional merits. It was here that he won, what he valued more than any thing else the character of a great lawyer.

You can testify to the industry with which he prepared his causes, to his large

intellectual resources, to his extensive learning, to his uniform frankness with the Court and to his never fasting fidelity in his intercourse with the bar. From July 1863 until March 1865 he was in the public service of the United States as their Attorney General. Known to be a Reform when doing that he left behind him on the records of that Department an imperishable evidence that he was not only a man of great ability, but a most upright, honest and virtuous officer.

Sirrah, You deserve that these resolutions be removed by the Court and entered on the records."

To which Mr Justice McLean made the following reply

"The Court sympathizes in sympathies with those of the bar at the loss sustained in the death of John. Nelson. A few days since he requested the postponement of a case on account of an illness which he hoped would be temporary, and his request was readily granted. Little did he or his friends suppose, that he had tried his

last cause. But this time comes to the professional man, as well as to all others in the journey of life. There is a last act which winds up our history, and to each one of us no event can be more uncertain. This should never be banished from our contemplation.

Mr. Wilson has long occupied a first rank in his profession. To a thorough knowledge of the law, he added those accomplishments in literature and science which qualified him for the prominent positions he filled. As a foreign Minister, he sustained the high character of his Government and he commanded the respect and confidence of the foreign gentlemen with whom he was associated. But as Attorney General, which was in the line of his profession, he was most distinguished. He had a clearness of method a concentration of thought, and a style which was pure and forcible. His manner was earnest without vehemence, and whilst he felt for his adversary was not wanting any one could see and feel that he had a strong reliance in his own position -

The members have sustained in an equal degree, the high qualities of this eminent jurist. His death is deeply felt and will long be cherished by this bench, and we desire respectfully, that the proceedings of the bar be entered on our records."

The proceedings of which meeting are in the following words:

"At a meeting of the members of the bar of the Supreme Court of the United States and its officers, and of the Senators and other visitors in Congress from Maryland, at the Court room in the Capitol on Thursday the 19th instant, the Honorable J. J. Crittenden was called to the Chair, and the Honorable H. Winter Davis, was appointed Secretary.

Whereupon the Honorable James A Bayard rose and submitted the following resolutions which were read and unanimously adopted: viz-

Resolved That the members of the bar feel with deep sensibility the loss which the profession and the country have sustained in the death of Hon. Nelson, a member of this

bar and heretofore for several years, Attorney General of the United States.

Resolved, That we cherish the highest respect for the professional learning of the deceased for his varied talent and ability, for the purity and uprightness of his professional life and for the ability and excellent qualities which belonged to him as a man.

Resolved, That to testify these sentiments we will wear the usual badge of mourning for the residue of the term.

Resolved, That a committee be appointed to offer to his bereaved and afflicted family the condolence and sympathy of his brethren of the bar.

Resolved, That the Attorney General do move the Court that these resolutions be entered on the minutes of this proceedings.

The Chairman then appointed the Honorable H. Winter Davis, the Honorable J. Morrison Harris and J. McGuire Esqr a committee under the 4th resolution.

On the motion of the Honorable James A. Stewart the meeting adjourned.

1334 J. J. B. White Esq vs Jefferson Hamilton & Wright & co.

Mr Benjamin of Counsel for the defendants in the proceedings begun in support of the motion filed by him to dismiss this writ of error & thereupon Counsel not being now here sufficiently advised of and concerning what order to make in the premises, took time to consider.

Ex parte: in the matter of Mary B. Penrose. Wright & Co. Complt vs Joseph B. Wilkinson.

On the motion of the Counsel of complainants for the petitioners and with the assent of Mr Benjamin of Counsel for the defendant, it is ordered by the Court that this cause heard the same is hereby set down for argument on the day two weeks being the 3d February.

Henry Rieber & al
15 vs. pffs in er
William H. Haines wife & al

John C. Hale pffs in er.
16 vs
William H. Haines wife & al.

Loretta D. Hunter
17 vs. pffs in er.
William H. Haines wife & al.

Roxana Butler & al.
18 vs pffs in er
William H. Haines wife & al.

Jacob Swigler
19 vs. pffs in er.
William H. Haines wife & al

On the motion of Mr Watkins of Counsel for the defendants in error respectively in these cases, it is ordered by the Court that the Clerk may issue mandates or writs of procedendo in these cases at any time during the session of the Court.

Robt H. Cage &c. Com.
vs) Appl.
Alexander Hamilton Col.

The argument of this cause was commenced by Mr Phillips of counsel for the appellants, continued by Mr Pitts & Mr Call and Bradley of counsel for the appellees and concluded by Mr R. J. Brent of counsel for the appellants

Deliberation being made the Court is adjourned until Monday next agreeable to rules

Monday January 25th 1864.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable John McLean
" James M. Wayne,
" John Catron, — Associate
" Samuel Nelson — Justices.
" Robert C. Grier
" John A. Campbell
" Nathan Clifford

William Seaton, Esquire, Marshal,
William Thomas Carroll, Esquire,

Proclamation being made the Court is opened.

On motion first made to the Court on this behalf by General Aaron Ward, it is ordered that John W. Mills Esquire of New York City State of New York be admitted to practice as an attorney and Counsellor of this Court and he is accordingly sworn accordingly —

On motion ordered to be entered in this behalf by the Court, it is ordered that James Shrum and Ethelington J. Spence Esquires of Charleston State of Ohio be admitted to practice as Attorneys and Counsellors of this Court and they were severally sworn accordingly -

338

Frederick Coutsiffier
vs.
James Sigerson, John Sigerson and William Sigerson -

Error to the Supreme Court of the State of Missouri

Mr Gillespie of counsel for the defendants in error having filed and read in the Court the petition and Citation to wit;

"Office of the Clerk of the Supreme Court within and for the State of Missouri held at Saint Louis. -

Frederick Coutsiffier plaintiff in error
vs.
James Sigerson, John Sigerson & William Sigerson defendants in error

Error to the St Louis Circuit Court.

The State of Missouri, ss.

I William A Glasgrite, Clerk of the Su-

preme Court within and for the State aforesaid, held at Saint Louis, do hereby certify that it appears from the transcript of the record on file in my office in the above entitled cause that the said Plaintiff Pratt plaintiff, and, on the 28th day of October in the year 1850 commenced an action of Ejectment in the Circuit Court of Saint Louis County, State aforesaid, against the aforesaid James Ingerson, John Ingerson and William Ingerson, defendants:- That said suit was so proceeded that on the 4th day of February in the year 1857 a final judgment was rendered in said Circuit Court against said Pratt and in favor of said defendants: That afterwards, to wit: on the 29th day of January in the year 1858 the said plaintiff sued out of our said Supreme Court a writ of error in said cause to bring the same into our Supreme Court. That afterwards to wit: on the 29th day of February in the year 1858, said writ of error with a transcript of the record and proceedings in said cause thereto attached, was returned into my office, and by me filed and said cause by me docketed for hearing by said Supreme Court; That said cause was so prosecuted in said Supreme

Court that on the nineteenth day of May in the year 1859, the judgment of said Circuit Court was in all things affirmed by said Supreme Court: That afterwards on the 2d day of June in the year 1859, the said plaintiff filed out a writ of error to the Supreme Court of the United States, which was allowed by William Scott the presiding Judge of said Supreme Court in the same case to wit: on the 2d day of June 1859,

In Witness whereof I have hereunto my hand and affix the seal of said Supreme Court at office in the City of Saint Louis this fifth day of January Eighteen hundred and sixty

(Seal)

Wm S Glanville Clerk"

and having stated that the plaintiff in error had altogether failed to file the record in said cause in this Court or in any way to prosecute said writ of error now here moved the Court in pursuance of the 4th rule of this Court to have this writ of error dismissed and dismissed. On consideration whereof it is now here ordered and adjudged by this Court that

this writ of error to the Supreme Court of the State of Missouri be and the same is hereby dismissed and dismissed with costs, and that this cause be and the same is hereby remanded to the said Supreme Court for further proceedings to be had therein in conformity to law and justice the said writ of error notwithstanding.

per Mr Justice McLean

Sidney C Collins - Appt
vs
Perry Thompson, William F Cleveland and James Camp late witness, heirs & devisees.

Appeal from the Circuit Court of the United States for the Southern District of Alabama.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Alabama and was argued by counsel - On consideration whereof it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in said cause be and the same is hereby affirmed with costs.-

per Mr Justice Nelson

Samuel Swan and Peter Forbes pltffs	On a certificate of division in opinion between the Judges of the Circuit Court of the United States for the Southern District of New York.
23 vs	
Herman J. Redfield late Collector &c.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York and on the point or question on which the judges of the said Circuit Court were opposed in opinion and which was certified to this Court for its opinion agreeably to the act of Congress in such case made and provided and was argued by Counsel. On consideration whereof, it is the opinion of this Court that the duties upon foreign merchandise are to be computed on their value at the day of the sailing of the vessel from the foreign port and that the value for the computation is the wholesale market price at the time on such day. Whereupon it is now here ordered and adjudged by this Court that it be

is certified to the said Circuit Court
for Mr Jus. Wayne.

37 Charles Rook vs. Jeffries Lewis Commerling

Error to the Circuit Court of the United States for the Eastern District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Louisiana and was argued by Counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar ones have been in the Courts of the State of Louisiana.

Dissenting:-
Mr Jus. Grier
" Jus. Catron.

for Mr Jus. McLean

Humphrey McSwain
vs
Asher Shirk & Co. Crim. Action of Debt

Appeal from the Circuit Court of the United States for the Western District of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Pennsylvania and on the motion of Mr. E. M. Stanton of Counsel for the appellant stating that the matters in controversy in this cause had been agreed and settled between the parties - It is now here ordered, adjudged and decreed by this Court that this cause be and the same is hereby dismissed with costs

for Mr. Justice McLean

J. J. B. White Jr. defendant and Gilbert
J. Hawkins & Wm. L. Coalburn composing the
firm of Coley, Hawkins & Co. & Mrs M. C. H. Faust
widow and Mrs Rebecca J. White united &
assisted by her husband J. J. B. White
for intervention — Plffs in er.

v.

Hamilton M. Wright sole assignee
of the rights and interest of the late
commercial firm of Wright Williams & Co.

Error to the Supreme Court of the State of Louisiana for the Eastern District.

2547

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Louisiana for the Eastern District of and on the motion of Mr Benjamin of counsel for the defendant in error it is now here ordered and adjudged by this court that this cause be and the same is hereby dismissed for the want of jurisdiction —

per Mr Jus McLean.

51 Sabathiel T. Payne, plff in e
vs
Charles E. Butler Executor

This cause was ordered by the court that this cause be and the same is hereby postponed for the present

52 Joseph S. Chamblin
vs plff in e
Louis Chamblin

This cause was argued by Mr M. Taylor of counsel for the plaintiff in error and submitted on a printed argument by Mr Benjamin of counsel for the defendant in error

53 John Newton Jun.
vs plff in e
Elijah Clark Jal.

The motion to dismiss this writ of error was argued by Mr Woodridge in support thereof and by Mr Cutler in opposition thereto.

54 Joseph Kinnard gdn.
vs Appts
George S. Cox Executor.

On the motion of Mr E. M. Stanton of counsel for the appellants it is now here ordered by the Court that this

cause be set down for argument next Monday the 30th instant.

The Philadelphia Wilmington & Baltimore Railroad Company vs. Appts 55. The Philadelphia & Havre de Grace Steam Tow boat Company.	The argument of this cause was commenced by Mr Dixon & closed for the appellants.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock

Tuesday January 21st 1840

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable John M Lean
" " James M Wayne
" " John Catron, } Special
" " Samuel Nelson, } Justices.
" " Robert C Grier,
" " John A Campbell
" " Nathan Clifford

William Thomas Carroll Clerk.

Proclamation being made the Court is opened

53 John Davison Robert L Smith & Thomas Hopkins & James Hunkins vs. Jeffson & Elijah Chick & George H. Chick } Appeal from the Circuit Court of the United States for the District of West Tennessee.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of West Tennessee, and it appearing

to the Court on the motion on the motion of Mr Talcott of Counsel for the defendants in error that this cause has been irregularly removed to this Court. It is thereupon now here considered ordered and adjudged by this Court that this cause be and the same is hereby dismissed with costs.

per Mr Justice McLean

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53. John Canton use &c
vs
Elijah Chute &c.

On the motion of Mr Gillet of Counsel for the plaintiff in error it is now here ordered by the Court that the said Counsel have leave to withdraw from the files of this Court the transcript of the record in this cause, upon leaving with the Clerk a receipt therefor to be filed in lieu of said transcript.

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55 The Philadelphia, Wilmington & Baltimore Railroad Compy
vs
Phil & Havre de Grace Steam Towboat Company.

The argument of this cause was continued by Mr Collins of Counsel for the appellees

and concluded by the Solicitor of Counsel for the appellants.

57 John Galbraith vs Jeffries & Peter Fisher

This cause having been called for arguments and no Counsel appearing ready to argue it on either side it is now here ordered by the Court that this cause be and the same is hereby postponed to the foot of the docket

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock -

Augh. Wednesday January 23d 1850.

Pursuant to adjournment the Court met this morning at the Capitol -

Present.

His Honour John McLean.
" " James M. Wayne.
" " John Catron, } Associate
" " Samuel Nelson, } Justices -
" " Robert C Grier.
" " John A Campbell.
" " Nathan Clifford.

William Selden, Esquire Marshal.
William Thomas Carroll Clerk.

Proclamation being made the Court is opened.

Ann R. Dennett } In argument of this cause
35 for Plaintiff } was commenced by Mr Lee
Zephaniah Jones. } of counsel for the plaintiff
in error and continued
by Messrs Carlisle & Bradley of counsel for
the defendant in error.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable John M^cLean
" " James M. Wayne,
" " John Catron, } Associate
" " Samuel Nelson, } Justices.
" " Peter V. Daniel.
" " John Campbell
" " Nathan Clifford

William Nelson Esquire Marshal.
William Hemas Carroll Clerk

Proclamation being made the Court adjourned

38 | Ann N. Emmett plaintiff in error | vs | Zephaniah Jones. | The arguments of the cause was continued by Mr Bradley of counsel for the defendant in error and concluded by Mr Hunt of counsel for the plaintiff in error

59. Nathan E. Hooper et al in Error. vs Jacob Schriver and Nathan E. Hooper et al. in Error vs Elias A Conway

These causes were submitted to the consideration of the Court on the record and printed arguments by Mr Williams of counsel for the plaintiffs in error and by Mr Hempstead of counsel for the defendants in error.

61. Samuel H. B. Morse et al vs Appts Charles F. Bowen et al

This cause having been called for argument and no counsel appearing ready to proceed with the same. It is now here ordered by the Court that this cause be and the same is hereby postponed to the foot of the docket.

62 The United States
vs. Appeals
Henry F. Teschmakergee

The argument of this cause was commenced by Mr Attorney General Black of counsel for the appellants.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

11500.

Friday, January 27th 1860.

Pursuant to adjournment the Court met this morning at the Capitol -

Present.

The Honorable	John McLean,	
" "	James M. Wayne,	
" "	John Catron,	Associate
" "	Samuel Nelson,	Justices.
" "	Robt C Grier	
" "	John A Campbell,	
" "	Nathan Clifford	

William Tilden Esquire, marshal.
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by W. C. M. Stanton, it is ordered that Charles Andrews Esquire of Syracuse State of New York be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly -

On motion Ordered that leave be given to the Hon. Edwin M. Stanton, to withdraw the Appearance heretofore entered by him for the Defendant in this cause.

William H. Sheldon claim. of a quantity of cotton &c. vs. Appeal
324 John Clifton.

The motion to dismiss this cause was argued by Mr. Donohue in support thereof, and submitted on a printed argument by Mr. Cum in opposition thereto.

Frederick Dent - in Petition.
338 Jane Sigerson &c.

On the motion of Mr. Critchlow of Counsel for the Petitioners it is now here ordered by this Court that the Clerk have leave to issue a mandate in this cause at any time during the term of this Court and as soon as it can be prepared.

209 DT. 1188

The United States
vs Appls
Vicente Gomez -

On the motion of Mr Attorney General Black it is now here ordered by the Court that the motion this date filed by him to amend the decree pronounced by this Court at the last term in this cause and to recall the writ of procedendo issued in the case be and the same is hereby set down for argument next Friday the 3d proximo.

62

The United States
vs Appls
Henry F. Teschmaker et al.

The argument of this cause was continued by Mr Gillet of counsel for the appellees and concluded by Mr Gwin of counsel for the appellants -

Proclamation being made the Court is adjourned until Monday morning at eleven o'clock -

Pursuant to adjournment the Court met this morning at the Capitol.

Present

The Honorable John M. Dean,
" " James M. Wayne,
" " John Catron, Associate
" " Samuel Nelson, Justices
" " Robert C. Grier,
" " John A. Campbell,
" " Nathan C. Clifford

William Tilden Esquire, Counsellor at
William Thomas Carroll Clerk.

Proclamation being made the Court opened

Application first made to the Court in this behalf by Mr Cutler, it appeared that the duties Duncan Esquire of New York late State of New York had admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

Monday January 30th 1860 Continued -

On motion first made to the court in this behalf by Mr Donaldson it is ordered that Charles F. Sauer Esquire of Cincinnati State of Ohio, be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly -

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Daniel Green adm[r] &c vs Appl[t] Fletcher Creighton &c.	Mr Counsel for the respective parties having filed a stipulation in this cause in the following words and figures to wit:

39

"Whereas since the final decree in this cause was rendered Green, administratrix of Daniel Green, deceased, in whose name this cause was formerly carried, has departed this life, and letters of administration on the estate of said Daniel Green original complainant in this bill have since been granted to Louisa A. Kendall next of kin to said Daniel Green, now it is hereby agreed by the undersigned counsel, that said cause may stand revived in the name of said Louisa A. Kendall administratrix of Daniel Green, deceased,

and that this Court may order an order to that effect and issue the mandate accordingly.

John A. Brennan, Solr for appellee
T. J. & J. R. Wharton, Solrs for appellants

It is thereupon now here ordered and ordered by this Court that the appearance of Louisa J. Hunt administratrix of Daniel Green deceased be and the same is hereby is struck the appellant in this Case.

Edward H. Bennett, Citizen of the State of Illinois &c. vs. Edward F. Gilbert

Appeal from the Circuit Court of the United States for the Northern District of Illinois

This Cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court

Court in this cause be and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Illinois.

per Mr. Justice Clifford

Hoel Barker. vs Griffin & Alonzo L. Kane.	Error to the District Court of the United States for the District of Wisconsin.

33

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Wisconsin and was argued by counsel On consideration whereof, it is now here ordered and adjudged by this court, that the judgment of the said District Court in this cause be and the same is hereby affirmed with costs.

per Mr. Justice Campbell, dissenting Mr. Justice Clifford.

Louisa J Kendall admx
of David Green dec'd.
vs. Appl
Fletcher Creighton in his
own right and as Executor
of Jonathan McCulloch dec'd

Appeal from
the Circuit
Court of the
United States
for the Southern
District of
Mississippi

39

This cause came on to be heard
on the transcript of the record from the
Circuit Court of the United States for the
Southern District of Mississippi and was
argued by counsel on consideration
whereof it is now here ordered adjudged
and decreed by this Court, that the decree
of the said Circuit Court in this cause be
and the same is hereby reversed with costs
and that this cause be and the same is
hereby remanded to the said Circuit
Court for further proceedings to be had
therein in conformity to the opinion of this
Court

Per Mr Justice Campbell

The City of New Orleans		In error to the
36	vs	Circuit Court of
Myra Clark Gaines		the United States
		for the Eastern District

of Louisiana

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Louisiana, and was argued by counsel On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Louisiana.

per Mr Justice Catron

Bryan Keach & Dennis Long
Composing the firm of Keach
and Long — Libellants & Appts

vs

William Chapman Jun, claimt
of the Steamer Capitol and
Daniel Edwards & Joseph Mallet
Sureties —

Appeal
from the
Circuit
Court of the
United States
for the East
ern District
of Louisiana.

444

This cause came on to be heard
on the transcript of the record from the Cir-
cuit Court of the United States for the
Eastern District of Louisiana and was
argued by Counsel On consideration
whereof it is now here ordered, adjudged
and decreed by this Court that the decree
of the said Circuit Court in this cause
be and the same is hereby affirmed with
costs.

Jos: McLean: Asso:

83	The United States vs. Appt. James H. Bolton	On the motion of Hon. Attorney General Black of counsel for the appellants It is now here ordered by the Court that this cause be set down for argument on the first Monday of March being the 5th day of said month.
54	Joseph Pennock et al vs. Appts. George Alex. Hunter &c.	The argument of this cause was commenced by Mr. E. M. Stanton of counsel for the appellants and continued by Mr. Ould of counsel for the appellees.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Tuesday, January 31st 1860

Pursuant to adjournment the Court met this morning at the Capitol

Present,

The Honorable John McLean,
" James M Wayne,
" John Catron, } Associate
" Samuel Nelson, } Justices
" Robert C. Grier,
" John A Campbell,
" Nathan Clifford

William Thomas Carroll Clerk

Proclamation being made the Court is opened.

Joseph Pennoyer et al vs Aspitts Lessee, Trustee &c

57

The argument of this cause was commenced by Mr Ellis of counsel for the appellee, and continued by Mr E. H. Stanton of counsel for the appellants

63. The United States vs. Appts Charles Meyer et al. Appeal from the District Court of the United States for the Northern District of California

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of California, and on the motion of Messrs Benham and Gillet of counsel for the appellees, and with the assent of the Attorney General Black of counsel for the appellants. It is now here ordered, adjudged and decreed by this Court that the decree of the said District Court in this cause be and the same is hereby affirmed.

per Mr Justice McLean

64. The United States vs. Appts Charles Wheeler, admr. The argument of this cause was commenced by the Attorney General Black of counsel for the appellants & continued by Mr Phillips of counsel of counsel for the appellee.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock

Wednesday February 1st 1860.

Pursuant to adjournment the Court met this morning at the Capitol.

Present,

The Honorable John McLean,
" " James M. Wayne,
" " John Catron, } Associate
" " Samuel Nelson, } Justices
" " Robert C. Grier,
" " John A. Campbell,
" " Nathan Clifford.

William Selden, Esquire, Marshal,
William Thomas Carroll, Clerk.

Proclamation being made the Court is opened.

The United States vs. Appts Charles White's adm[r].

The argument of this cause was continued by Messrs Phillips and Cushing of counsel for the appellee and concluded by Mr Guillemin of counsel for the appellants.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable John McLean
" " James M Wayne
" " John Catron, Assoc.
" " Samuel Nelson, Justices
" " Robert C. Grier
" " John A. Campbell
" " Nathan Clifford
William Seldon, Esqr. Marshal
William Thomas Carroll, Clerk.

Proclamation being made the Court is

65 The United States vs. Appeals William Benesch. The argument of this cause was commenced by Mr. E. M. Stanton & continued by Messrs Brewster & Wilson & concluded for the appellees by Messrs Bradley & Wilson & Mr. Coxe for the appellees.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Friday, February 3d 1860.

Pursuant to appointment the Court met this morning at the Capitol.

Present.

The Honorable John McLean
" " James M. Wayne,
" " John Catron
" " Samuel Nelson,
" " Robt C. Grier,
" " John A. Campbell
" " Nathan Clifford

Special Justices.

William Tilden, Esqr. Marshal,
William Thomas Carroll, Clerk,

Proclamation being made the Court is opened.

The Special Mandate from the Court of Appeals of New York for the issuance of a writ of Error to the Supreme Court of the United States in the case of Baker

No 130 Motion of counsel for the defendants in error moves the Court to dismiss this writ of error for

the want of jurisdiction and proceeds to argue in support of the said motion which was opposed by Mr Cushing of Counsel for the plaintiffs in error, and who argued against the

motion - Whereupon this Court not being now sufficiently advised of and concerning what order to make in the premises took time to consider.

	Charles C. Milner. Appt	Mr. Lowrie of
27	vs	counsel for the ap-
	The New Jersey Railroad &	pellants having
	Transportation Company &c.	suggested to the
		Court the sudden
	Cornelia Bogert. Appt	prostration of Mr
	vs	Lowrie one of
28	The New Jersey Railroad &	the counsel for the
	Transportation Company &c.	appellants and his
	and	consequent inabili-
	Charles C. Milner. Appt	ty to argue these
	vs.	cases next Monday
29	The Newark Plank Road &	moved the Court
	Ferry Company et al.	to postpone the
		argument of the

causes to a more particular day to be named by the Court. Whereupon this Court not being now sufficiently advised of and concerning what order to make in the premises took time to consider.

The Special Reformed Presbyterian Synod of N. York vs
256 vs Hyslop et al
The Trustees of the Presbyterian Church in Troy et al vs the Town of Lyons

M. Cushing of counsel for the plaintiffs in error moved the Court for leave to file a brief in error to that filed by Mr Bartlett in the case on certain reasons whereof it is ordered by the Court that leave be and the same is hereby granted and counsel to file such brief within two weeks from this date and also that leave be and the same is hereby granted to Mr Bartlett to file a brief in reply thereto.

Ex parte: in the matter of
Mary D. Jones
7 vs Compt
Joseph B Wilkinson

The argument of this application was commenced by Mr Burnett of counsel for the petitioner and continued by Mr Benjamin in opposition thereto.

Proclamation being made the Court is adjourned until Monday morning 10 o'clock.

Pursuant to adjournment the Court met this morning at the Capitol

Present

The Honorable James M. Wayne
" " John Catron,
" " Samuel Nelson, Associate
" " Robert C. Grier, Justices
" " John A. Campbell,
" " Nathan Clifford,
" " William Smith Esquire Attorney
" " William Thomas Carroll Clerk.

Proclamation being made the Court opened.

On motion prayed made to the Court on this behalf by Mr Wayne it is ordered that Joseph Lee Page of New York be admitted to practice as an Attorney and Counsellor of this Court he having taken the oath accordingly.

William H. Coffin and Joseph B. Bishop, Surviving Partners, Etc.	On a certificate of division in opinion between the Judges of the Circuit Court of the United States for the
vs. Appellants	
The Board of Commissioners of the County of Parke.	District of Indiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Indiana and on the points or questions on which the judges of the said Circuit Court were opposed in opinion and which were certified to this Court for its opinion agreeably to the act of Congress in such case made and provided and was argued by counsel On consideration whereof it is the opinion of this Court.

1st That by the act of incorporation of the Ohio and Mississippi Railroad Company of the 14th February 1848 and the amendment thereto of January 15th 1849 no such right to county subscriptions vested in said Company as is claimed the operation of the new constitution of Indiana, which took effect on the 1st day of November 1851.

2d That by virtue of the said acts and of the said statutes in the declaration set forth the Ohio and Mississippi Rail road Company acquired no such right to the subscription of the defendants as cannot be prosecuted by the Constitution of the United States against the new Constitution of Indiana and took effect on the 1st day of November 1831.

Whereupon it is now here ordered and adjudged by this court that it be so certified to the said Circuit Court.

On Mr Justice Nelson.

William H Gordon Clerk of a question of division to its Appeal from the Circuit Court of the United States for the South District of New York.

Adam Clifton

324

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and on the motion of Mr Stevens of counsel for the appellee It is ordered and adjudged by this court that this cause be and the same is hereby dismissed for

the want of jurisdiction.

per Mr Just: Nelson

27 Chas E Milnor, appt, vs The N Jersey R R & Transpor Co et al

28 David Bigelow, appt. vs. The N. Jersey R.R. & Transpor Co & al

29 Chas E Milnor, appt, vs Newark Plank Rd & Ferry Co & al

256 Robt D Silliman, Compt. vs. The Hudson R. Bridge Co. et Albany

257 Fredk W Coleman, Compt vs The Hudson R. Bridge Co. et Albany

It is now here ordered by this Court that these causes be and the same are hereby continued to the next term of this Court.

65 The United States vs. Appts William T Bennitz

The argument of this cause was concluded by Mr E. M. Stanton of counsel for the appellants.

66	The United States vs Appts John Rose & al.	The argument of this cause was commenced by Mr. Stanton of counsel for the appellants and continued by Mr. Crittenden and Mr. Benjamin of counsel for the appellees.

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock.

Tuesday, February 7th 1860.

Pursuant to adjournment, the Court met this morning at the Capitol.

Present.

The Honorable	James M. Wayne	
"	John Catron,	
"	Samuel Nelson,	Associate
"	Robert C. Grier,	Justices
"	John A. Campbell,	
"	Nathan Clifford.	

William Selden, Esquire, Marshal

William Thomas Carroll, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Pendleton, it is ordered that Samuel S. Fisher Esquire of Cincinnati State of Ohio be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Bingham, it is ordered that H. P. Hepburn, Esquire of San Francisco, State of California, be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

66	The United States vs. Appts John Rose & al.	The argument of this cause was concluded by Mr. Stanton of counsel for the appellants.
67	The United States vs Appts Claude Chaua & al.	On the motion of the attorney General Black of counsel for the appellants and with the assent of Mr. Crittenden of counsel for the appellees, It is now here ordered by the Court that this cause be and the same is hereby continued to the next term.
68	The United States vs. Appts James Noe.	The argument of this cause was commenced by Mr. Attorney General Black of counsel for the appellants, continued by Mr Benham of counsel for the appellees and concluded by Mr Stanton of counsel for the appellants

Proclamation being made the Court is adjourned until tomorrow morning at eleven o'clock -